

What can explain American attitudes to genocide? And how have these attitudes influenced responses?

A comparative case study of Bosnia and Darfur

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Foreword

Motivation to write my thesis about genocide is grounded in three factors. The first factor goes back to when I as a young schoolgirl read the diary of Anne Frank. Anne Frank made me aware of reality. The world is unfair and inhuman. The second factor for writing about genocide is grounded in a class taught by Paul Shankman at the University of Colorado. I have never forgotten one video that Shankman showed- taken by American soldiers as they liberated the concentration camps. And finally, the third motivational factor for writing about genocide is a question of how. How is it possible that genocide still happens? Seventy years after “never again” was shouted out, and we are still witnessing fates like the one of Anne Frank.

Thanks to my advisor Anders Kjølborg. I could not have done this without your constructive help, motivational words, availability and the balance between academic and trivial conversation. You made it all seem so easy! I also want to thank Arild Underdal for taking time to help me with theoretical issues.

And of course, thanks to my family and friends for motivation and support. This journey became longer than expected, and it has been a pleasure to have you on my side the whole time. Last, but not least, Magnus- thanks for coming into my life when I needed it most!

I bear the responsibility for errors. Words count is: 30965

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Abbreviations

AU- African Union

GOS – Government of Sudan

H.CON.RES- House Council Resolution

ICISS - International Commission on Intervention and State Sovereignty

ICTY- The International Criminal Tribunal for the Former Yugoslavia

ICJ- International Court of Justice

JEM- Justice and Equality Movement

NATO- North Atlantic Treaty Organization

UNPROFOR- United Nation Protection Force

UN- United Nations

R2P - Responsibility to Protect

S.CON.RES – Security Council Resolution

SLA/SML- Sudan Liberation Movement/Army

S/RES- United Nation Security Council Resolution

CR- Congressional Record

CH- Congressional Hearing

PP- Public Papers of the President

1 Introduction

“There can be no more important issue, and no more binding obligation, than the prevention of genocide... and yet, genocide has happened again, in our time. And states even refused to call it by its name, to avoid fulfilling their obligations”.

Kofi Annan, General Secretary of the UN, 1997

The focus of this research project is on the American practice towards genocide. It provides a comparative case study of Bosnia and Darfur in order to shed light on how to explain the American attitudes and response towards genocide. With regards to Bosnia, I will narrow my study to the massacre of Srebrenica in 1995. In both Bosnia in 1995 and Darfur in 2004, innocent civilians were slaughtered, but the United States adapted different approaches in order to address the two conflicts. While Darfur was the first time that an on-going crisis was defined as genocide, Srebrenica was not defined genocide before ten years after it had occurred. Due to the European failure to stop the crisis in Bosnia, the United States intervened in 1995. Throughout the whole Bosnian War (1992-95), the American Congress discussed whether or not to lift the arms embargo. While there was consensus that the United States should react because there was a conflict, disagreements concerned what action that should be taken. The scenario was different with regards to Darfur. In 2004, the American Congress addressed the term genocide more frequently. There tended to be more consensus that the crimes committed by the Government of Sudan (GOS) towards innocent civilians in Darfur were genocide, and action should on background of this be taken. There was therefore in 2004 more focus on the connection between crime and action. To define a conflict as genocide lead to certain responsibilities and obligations to act. At the same time, states tend to not follow such responsibilities and obligations. Why do states often refuse its obligations?

Why did the United States address Bosnia and Darfur differently? How can the United States, seventy years after the Holocaust still act vague in its addressing of genocide? The lesson of the Holocaust was “never again”. Never again could or should the international community allow the crimes that Jews had suffered during the Holocaust from happening again. Varieties of cases have since then proved that there is not necessarily a connection between theory and practice. Innocent people have in the aftermath of the Second World War

been killed in Cambodia, Iraq, Rwanda, Bosnia and Darfur¹, and now most recently in Libya. I will look at the debates that took place in the American Congress at the time of the crisis in Bosnia and Darfur in order to see what can explain the American attitudes and response towards genocide. For this research project, I therefore ask:

What can explain the American attitudes to genocide? And how have these attitudes influenced response?

Keohane, Verba and King, (1994:15) argue that in order for a research project to be relevant it should meet the two criteria of posing a question that is important in the real world, and contribute to the already existing literature. My research project fulfils the two criteria. The fact that genocide still takes place proves that my question is important in the real world. Seventy years after the Holocaust, leaders are still abusing its innocent people. The next section will show that my research question contributes to the already existing literature.

1.1 Literature

Much has been written in the field of genocide, and on the American attitudes and practice towards genocide. First of all, the definition of genocide is debated. Among scholars there are disagreements on whether the strict legal definition of genocide, based on Article 2 of the Genocide Convention serves as the most appropriate definition. I will come back to this discussion in the next section. In addition to the definition of genocide, more historical work has been provided, where scholars present case studies of genocide. In *Genocide, A Comprehensive Introduction* (2006), Adam Jones presents case studies of genocide of indigenous people from the time of Colonialism to Rwanda in 1994. Another explored field is the causes of genocide. In *No Lessons Learned from the Holocaust, Assessing Risks of Genocide and Political Mass Murder since 1955* (2003), Barbara Harff developed a structural model consisting of six factors that were associated with the likelihood of genocide. Factors such as prior genocide in the same polity, autocracy, and ethnic minority rule, political upheaval during war or revolution, exclusionary ideology, or closure of borders to international trade increase the likelihood for genocide to occur.

Scholars who concern about the causes of genocide are often presenting it in terms of early warning, and whether genocide can be predicted. Gregory Stanton, President of

¹ A classification of these cases as genocide is based on *A Problem From Hell* (2002) by Samantha Power.

Genocide Watch, states that genocide develops through the eight stages of classification, symbolization, dehumanization, organization, polarization, preparation, extermination and denial. Stanton has developed this framework so policy-makers can recognize early warning signs, and plan specific counter- measures to prevent genocides. Stanton (1996:2) argues that, “the first stages precede later stages. Each stage reinforces the others, so a strategy to prevent genocide should attack each stage, each process.” The successful identification of a potential genocide or politicide does not necessarily lead to prevention in terms of intervention. Krain (2005:32) argues that policymakers need information regarding the effectiveness of intervention and other policy options, and “future research needs to be directed toward this important goal if policymakers are to be convinced that pre-emption is possible and likely to be effective”. Krain (2005:30) further claims that, “the most effective way for the international community to intervene militarily in genocide or politicide is to directly challenge the perpetrator or to aid the target”. He also empathizes that attempts by external actors to intervene as impartial parties seem to be ineffective.

Matthew C. Waxman (2009:21), on the other side, argues that external actors should play a significant role in humanitarian intervention, by claiming that the UN Security Council should improve its responsiveness. He (2009:21) claims that in order to combat the threat of mass atrocities, the United States should work with allies to improve this responsiveness, and additionally, “prepare and signal willingness, if the UN Security Council fails to act in future mass atrocity crises, to take necessary action to address them”. The argumentation of Waxman is based on a report of the Council on Foreign Relations. Besides providing specific recommendations upon the United States on to how to improve the responsiveness of the UN Security Council, the report (2009:4) aims “is to integrate the study of strategy and law or norms by emphasizing how political will and capabilities are not independent of international law but are shaped by it, and how the normative terrain of intervention can affect operations on the ground”. Waxman (2009:4) states that often the policy community and the international law community speak past each other on the issues of politics studies. Waxman’s argumentation, based on the report by the Council on Foreign Relations, reflects the aim of my research paper. I aim to study the American attitudes and response to genocide by addressing both structural and ideational explanations.

Another explored field in the study of genocide is how states response to genocide. Samantha Power has in *A Problem From Hell* (2002), addressed how the United States has

reacted towards genocidal cases from the aftermath of the Second World War to the current cases of the late 1990s. Power (2002:503) aims to explain why the United States “has consistently refused to take risks in order to suppress genocide”. In order to answer such statement, she studied the factors of knowledge, influence, will and accountability. Power argues that political will was the most significant factor for why the United States failed to intervene in genocidal cases. As a concluding remark, Power (2002:512) predicts that the United States should stop genocide for the two reasons of moral and enlightened self-interests. She ends her book with a sentence of hope that, “after a century of doing so little to prevent, suppress, and punish genocide, Americans must join and thereby legitimate the ranks of the unreasonable” (2002:516). I will follow up Power’s work in order to see what can explain the American attitude and practice towards genocide. Are there structural reasons that still explain American attitudes and practice towards genocide, or can it be explained through more morally oriented reasons?

Before I present the theoretical framework, the methods and get into answering how to explain the American attitudes and practice towards Bosnia and Darfur, it is important to clarify the most important term for this study; the definition of genocide.

1.2 The Definition of Genocide

During the Second World War, the Polish lawyer Raphael Lemkin created the term “genocide”. Terrified by the crimes committed against the Armenians in the 1915, and the Jews during Second World War, Lemkin looked for a term to name the crime. Lemkin argued that mass killing or massacre simply did not qualify to explain the horrible crimes that Armenians and Jews had suffered. In 1943, he coined the word genocide, which was put together of the two words “genos” and “cide”. While “genos” means race or tribe, “cide” means killing. Lemkin first used the word in *Axis Rule in Occupied Europe* (1944), and it was consolidated with the Genocide Convention. Since then, the term genocide has been used towards various cases in the contemporary world, but there are often discussions related to the use of the word.

Ida Waal (2008) argues that the choice of definition depends on where it should be applied. Waal claims it depends on whether the definition should be applied to law, social science, or most problematic, to politic. She further claims that there are challenges related to both having a too narrow, and a too wide definition of genocide. While a too narrow

definition can lead to cases that should be classified as genocide go unpunished, a too wide definition would lead to inflation, and the term would then lose its importance. Both the scenarios are dangerous, and should be avoided. There tends to be most consensus about the legal definition of genocide. The legal definition of genocide is based on the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, hereafter referred to as the Genocide Convention, and the statute of the International Criminal Court (ICC). In accordance with Article 2 of the Genocide Convention, genocide is any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such;

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within the group;
- e. Forcibly transferring children of the group to another group.

While the Genocide Convention is focused on the definitional and prevention part of genocide, ICC is more focused on the aspect of punishment. The purpose of the ICC, which was created by the Rome Statute of 1998, is to end impunity for the perpetrators of atrocities that deeply shock the conscience of humankind. The four goals of ICC are justice and punishment, deterrence, record-keeping, and progressive development of international law (Noyes, 2006). ICC addresses the “international” crimes of genocide, crimes against humanity, and war crimes. These crimes all concern the use of violence according to international crimes. However, the content of each type of crimes vary substantially, and I will limit my study to the crime of genocide.

The legal definition is clear, but it is rather strict and narrow, and there have developed alternative definitions of genocide. Totten and Bartrop (2009:34) argue that scholars have developed their own definitions of genocide, and offered them as an alternative to the one used in the Genocide Convention. The alternative definitions include certain groups that the Genocide Convention has excluded, and it additionally includes interpretations of the words “intent”, “in whole or in parts”, and “as such”. Israel W. Charny is in favor of a broader

definition that includes all groups². The legal definition of genocide excludes political groups, which is often debated. Helen Fein (2009:44) argues that most definers have normative or prescriptive agendas in the sense that they are “activated by what we feel genocide should encompass- often not wishing to exclude groups.” She further claims that debates concerning genocide are about the identity of the target group, the scope of acts, the identity of the perpetrators, a distinction among types of genocide or whether or how to distinct intent³. Roger Smith (2005) argues that genocide can be classified in various ways according to the nature of the victims, motives of the perpetrators, and the outcome. Smith states that genocide can be classified as retributive, institutional, utilitarian, monopolistic and ideological⁴. While there are alternative definitions to genocide, I will for this thesis rely on the legal and political definition of genocide.

While the legal definition is clear and precise, the political definition is wider, and much more unpredictable and flexible. While the legal definition is based on the Genocide Convention, and the statute of ICC, the political definition is more uncertain, and can be characterized as the definition in actual practice. It is the political response taken by states. The political definition is expectations about responsibility that is connected to a use, or refusal, of the term genocide. The political definition of genocide is much more diffusing than the legal since there is no universal adapted political definition.

1.3 Research question

In order to answer my research question of how to explain the American response toward genocide, I will use a model to explore factors that influenced the American attitudes, and further how these attitudes influenced the American practice. As theoretical framework, I will rely on what Craig Parsons (2007), in *How to Map Arguments in Political Science* refers to as structural and ideational explanations. I will operationalize these two explanations in order to

² For more; Charny Israel W (2005), *The Definition of Genocide*, in Totten, Samuel and Bartrop, Paul R, *The genocide Studies Reader* (2005), pp 36-40

³ For more; Fein, Helen (2009), *Defining Genocide as a Sociological Concept*, chapter 2.3 in Totten, Samuel and Bartrop, Paul R, (2009), *The Genocide Studies Reader*, Routledge, pp 44-57

⁴ For more: Roger W. Smith (2005), “*Human Destructiveness and Politics: The Twentieth Century as an Age of Genocide*” in Totten, Samuel and Bartrop, Paul R, *The genocide Studies Reader* (2005), pp 40-43

better fit my study. In addition, some more factors, which might have served as intervening variables will be studied. It will in other words be a study that shed lights on the American attitudes and response towards genocide. It addresses a variety of explanatory factors that might have influenced attitudes in the American Congress, which again have shaped the American practice. I provide a comparative case study of Bosnia and Darfur where documents from the 104th (1995), and 108th (2004) Congress is analyzed. Bosnia and Darfur will in other words be compared in an operationalized version of Craig Pardon's structural and ideational explanations.

1.4 Disposition

Chapter 2 presents the theoretical framework. I will briefly present Craig Parsons four ways of mapping arguments in political science before I argue for why the two arguments of structural and ideational explanations have been chosen for my study. I will further present an operationalized version of the structural and ideational explanations in order to better fit my study. Additionally, some other factors that might have acted as intervening variables in the American practice towards genocide are presented. In chapter 3, the research design, methods and sources are presented. Chapter 4 is the empirical part where a comparison of the two cases of Bosnia and Darfur is provided. The empirical material will be compared in order to determine how to explain the American practice towards genocide. Are there structural, ideational or other factors that can best explain the American attitudes and practice towards genocide? While Chapter 5 is the conclusion, the last section provides a bibliography divided into two parts. The first part is a bibliography of sources that have directly been used in this paper, and the second part is a complete list of sources that was used in the document analysis.

2 Theory

2.1 How to explain politics

In *How to Map arguments* (2007), Craig Parsons provides a typology of explanations of political action. Instead of focusing on theoretical or empirical challenges, Parsons' main concern is to explain what causes what, and how we can explain action. Parsons distinguishes between four explanations; structural, institutional, ideational and psychological. He (2007:40) stresses that people arrive at certain actions "due to some combination of causal forces from their structural-material surroundings, their man-made organizational context, their socially constructed ideational elements, or their psychologically hard-wired mental dispositions and motivations." For this thesis, I will focus on the ideational and structural explanations in order to shed lights on the American attitudes and actions towards genocide. While Parsons (2007:13) state that ideational (and psychological) claims are logics of interpretation, structural (and institutional) claims are logics of position. By looking at ideational and structural explanations, I get to explore whether the American attitudes and practice towards genocide is influenced by interpretation or position. Is its behaviour shaped by interpretation of certain ideas, or is it the structure of the system that determines how the United States acts towards genocide? While ideational factors explain attitudes, action is explained through structural factors. A reliance on ideational and structural explanations makes it possible to study the link between attitudes and action, which this research project aims to do. I will start by addressing the ideational explanation.

2.2 Ideational explanation

The core logic of an ideational explanation is that it explains actions as a result of people interpreting their world through certain ideational elements (Parsons, 2007:96). Ideational elements, which are man-made, include practices, symbols, norms, grammar, models, beliefs, ideas, and/or identities. While the rational theories of Marxism, liberalism and realism, which will be addressed in the section on structural explanation, concerns about the structure, Constructivism stresses the importance of reality as socially constructed (Barnett, 2001:259). The origin of constructivism can be traced back to the 1980s when Constructivism developed as a result of the sociological critics of neo-realism and neo-liberalism. Constructivism rose as

a consequence of the lack of explanatory factors for the new international structure that emerged after the end of the Cold War (Barnett, 2001:256-57). Christian Reus-Smit (2004:21-22) claims that Constructivism advances three propositions:

1. Structures shape the behavior of states and actors.
2. In order to understand the behavior of states, and other actors you have to understand how their social identities shape their interests and actions
3. A structure exists because of the practice of social agents.

Although there are rival camps within the theory of Constructivism, there is a shared common concern that ideas define the international structure, which again constructs the identities, interests, and foreign policy practices of states. Reality can better be understood by studying it in terms of idealism and holism, rather than by relying on factors of materialism and individualism (Wendt, 1999:32). While the rational theories share an assumption of state interests as fixed, Constructivism challenges such view by claiming that even fundamental notions like the state, sovereignty and national interests are socially constructed. The social meaning is not fixed, but rather contingent (Abbott, 1999:367). In *Anarchy is What States Make of It* (1999), Alexander Wendt argues that even anarchy is only socially constructed. Wendt further argues that the tendency in international relations to view power and institutions as two opposing explanations of foreign policy is misleading since "anarchy and distribution of power only have meaning in....the understanding and expectations that constitute identities and interests" (Wendt, 1992: 401). Identities and interests are constructed, as a dependent variable (Wendt, 1999:318). States are part of an international structure that is always in contingent change, and these structural changes influence states behaviour. International actors operate within a social context of shared subjective understandings and norms, which constitute their identities and roles, and they define appropriate forms of conduct (Abbott, 1999:367). Norms serves as socially constructed ideas, and I will therefore look at this in the next section.

2.2.1 Norms matter

The once controversial statement that "norms matter" is today accepted by all except the most conservative neorealist (Checkel, 1997:473). Jeffrey Checkel (1997:488) argues that in order to understand the reality of how norms affect state behavior, the two schools of rational choice and Constructivism should be combined since "both rational choice and

Constructivism provide valuable insights into the domestic effects of global norms”. This research project does so by taking both structural and ideational factors into account.

Norms are a standard of appropriate behaviour for actors with a given identity (Finnemore and Sikkink, 1998:891). Finnemore and Sikkink (198:892) further claims that because norms embody a quality of “oughtness” and shared moral assessment, norms prompt justifications for action and leave an extensive trail of communication among actors that we can study. The problem for constructivists thus becomes the same problem facing realists- to explain change. In an ideational international structure, idea- and norm shifts are the main vehicles for system transformation. Norm shifts are to the ideational theorist what changes in the balance of power are to realists (Finnemore and Sikkink, 1998:894)

Even though there is consensus that norms matter, states adapt different approaches in how they commit and comply with norms. In *Mobilizing for Human Rights* (2009:111), Beth Simmons argues that in a process of ratifying human right treaties, governments “calculate the costs versus the benefits in the context of their values, region, national institutions, and time horizons”. She (2009:67) further claims that the main domestic reason for committing to a treaty is the expectation that it will be possible to comply at a reasonable cost. Most governments ratify treaties because they support them, and therefore also have intentions to comply. Simmons (2009:65) claims that the nearer a treaty is to a government’s ideal point, the more likely that governments is to commit. The explanation is straightforward because the closer a treaty is to a government’s ideal point, the smaller the required policy adjustments are likely to be. Simmons presents three categories of how government tends to commit to human rights treaties. First, there are the sincere ratifiers, which value the content of the treaty and anticipate compliance. Second, there are the false negatives that are governments committing in principle but which fail to ratify. And finally, some governments are strategic ratifiers, that ratify because other countries have ratified, and they want to avoid criticism. Simmons (2009:58) states that the United States serve as a good example of the second category. While the United States tends to commit, it fails to comply. The American ratification of the Genocide Convention proves Simmons’ claim of the United States as a false negative. While the Genocide Convention was established in 1948, the United States ratified as late as 1988 when Senate finally passed the Convention (Power, 2002:167). The Genocide Convention was from 1948 debated in Congress in terms of possible reservations, which Senator William Proxmire lobbied against. After Lemkin’s death, Proxmire continued his work by taking the

floor in Senate every day from 1967 to 1986 in order to have the United States to ban genocide and adapt the convention. Finally in 1988, all the lobbying resulted in the American ratification. Simmons's argument of the United States as a false negative can to some extent be explained in American exceptionalism.

Exceptionalism serves as an elementary element, which has long tradition in the American self-perception and its role in the world (Melby, 1995:20). The essence is that the United States, its political system and its people represent something unique, and that the United States has a special responsibility in the world. Svein Melby (1995:15) states that in almost no other country than the United States is there such a strong element of idealism, and such a special relationship between idealism and realism, which shape its foreign policy. The American approach towards foreign policy is to a large extent influenced by the symbiosis between idealism and realism (Melby, 1995:31). Melby (1995:20) further claims that in order to understand the special role that idealism plays in the American approach to foreign policy, American exceptionalism should be taken into account. Exceptionalism is divided into the two camps of sense of escape and manifest destiny. The first, sense of escape, presents the United States as a "city upon a hill". As a city upon the hill, the United States has served as place that people have searched to for freedom and new opportunities. A foreign policy approach influenced by "sense of escape" ideas is introvert and defensive. On the other side, a foreign policy approach influenced by ideas of manifest destiny is extrovert and offensive. The idea of manifest destiny is that the United States has to avoid other ideological ideas or great power from taking over. The United States should therefore act as a "missionary" actor in order to spread American ideas and values (Melby, 1995, 78-80).

By studying the United States in terms of ideational explanations, it is important to be aware of the unique role that idealism plays in its system. A study of ideational explanations makes it possible to study the American attitudes towards genocide. Since my aim is to study attitudes put in connection with action, I will now present the structural explanation.

2.3 Structural explanation

According to a structural explanation, people choose their actions as a direct function of what is taken to be a concrete, exogenously given environment (Parsons, 2007:52). Parsons (2007:39) suggest that “structural” is used to designate any claim that explains actions as an individual-rational function of position in a “material” landscape. The theories of Marxism, economic liberalism and realism can be defined as structural explanations (Parsons:2007:61). These three rational theories have major differences, but their debates concern the configuration and dynamics of the given landscape, and not the basic logic of action (Parsons, 2007:39). There are in other words external factors that explain action. Of the three theories, realism, or real politics, has by far been the most influential theory because it provides the most powerful explanation for the state of war, which is the regular condition of life in the international system (Baylis&Smith, 2005:161).

The origin of realism can be tracked back to Thucydides and Hobbes who presented power politics as a law of human behavior (Baylis&Smith, 2005:167). They shared a pessimistic view of the human nature, and considered uncertainty and conflicts to challenge states’ goal of survival. The endless struggle for power has its roots in human nature (Baylis&Smith, 2005:166). Classic realism was further developed in terms of Machiavelli, E.H. Carr and Hans J. Morgenthau who also concerned about the human nature, but additionally applied power interests. International politics can be understood through the concept of interests, defined in terms of power. Structural realism (neo-realism) rose as a critic to the neo-classical assumption of human nature as the explaining factor of power politics. In 1979, Kenneth Waltz outlined neo-realism in *Theory of International Politics*. Waltz was in favor of a structural explanation to international politics, and argued that the international structure constrains state behaviour. There is the distribution of power that explains the structure of the international system. Structural realists can further be divided into a defensive and offensive orientation. While Kenneth Waltz, who represents the defensive side concerns on the international structure, offensive realists such as John Mearsheimer focus more on power maximization. Offensive realism states that because states are not satisfied with a given amount of power, they seek hegemony for security and survival. Among the most current development within realism is neo-classical realism, which serves as a combination of classical- and neo-realism. The logic of neo-classical realism “places domestic politics as an intervening variable between the distribution of power and foreign

policy behavior” (Walt, 2001:170). Despite important differences between classical-, structural- and neo-classical realism, it is possible to identify a shared core set of assumptions and ideas (Baylis&Smith, 2005:161). Mearsheimer (2001:30-31) has provided such core in terms of five assumptions:

1. The international system is anarchic
2. The great powers inherently possess some offensive military capability
3. States can never be certain about the intention of other states
4. Survival is the primary goal of all states
5. All states are rational actors

Summed up, realism considers external factors to determine the action of states. States are rational actors, which handle from a perspective where cost and benefit are calculated in terms of power and security. A study of structural explanations, here presented in terms of realism, allows exploring whether the given structure influenced the American practice towards genocide. In a process of evaluating a possible intervention, a state has to take into account whether it will promote its national interests. It is therefore not just ideational conditions that should be addressed, but also the regional conditions. By looking at both structural and ideational explanations, I will explore whether the American practice towards Bosnia and Darfur were influenced by an anarchic system where the United States acted rational in order to secure its own interests, or if the normative aspect influenced more? I have so far provided an introduction to the essence of structural and ideational explanations, but the explanations should be operationalized in order to better fit my study. I will do so in the next section.

2.4 Operationalization of the theory

2.4.1 Ideational explanation operationalized

International law and norms. By international law and norms, I mean laws and norms, which concern about genocide, and that were present at the time of the conflicts in Bosnia and Darfur. International law governs relations between states, and norms have already been presented as standard of appropriate behavior for actors with a given identity (Finnemore and Sikkink, 1998:891). First of all, the Genocide Convention was established in 1948 and

therefore present at both the times of Bosnia and Darfur. In the 1990, humanitarian intervention became the new norm in conflict prevention, and as a follow up R2P was created in 2001. R2P was further consolidated an international norm in 2005. While the Genocide Convention was present at the time of both Bosnia and Darfur, the norm of humanitarian intervention and R2P were only present at the time of Darfur in 2004, and therefore not at the time of Bosnia in 1995. There can be debated whether R2P developed prior to Darfur. R2P was first consolidated as an international norm in 2005, but it was already in 2011 established in a report by the International Commission on Intervention and State Sovereignty (ICISS). Based on such argument, I state that R2P was present at the time of Darfur. While the Genocide Convention has already been presented, I will now provide a brief introduction of R2P.

Responsibility to Protect (R2P)

R2P is an international security and human rights norm with the objective to address the international community's failure to prevent and stop genocide, war crimes, ethnic cleansing, and crimes against humanity. The International Commission on Intervention and State Sovereignty (ICISS) bases the origin of R2P on a report in 2001⁵. ICISS started its work to develop R2P because of the increased focus on humanitarian interventions in ethnic conflicts that developed throughout the 1990s. The aim of R2P is to change the terms of the debate from a "right to intervene" to a "responsibility to protect" (ICISS, 2001:18). R2P has, with regard to genocide, changed the 1990s defensive approach of standing idly by, to an increased focus on responsibilities of prevention, reaction and rebuilding. The refusal to prevent and stop genocide in the 1990s can be explained in the expectations of the international structure that intervention was only necessary in situations where the term genocide was used. There was a belief that as long as the term genocide was not taken in use, there were no expectations or obligations on the international community to intervene.

R2P consists of the three elements of prevention, reaction and rebuilding (ICISS, 2001:XI). R2P is currently an international standard to guide states, and it intends to change the international focus to increased awareness of certain expectations that are related to humanitarian crisis, such as genocide. A main goal of the R2P is to move the international community from a "culture of reaction" to a "culture of prevention" (ICISS, 2001:27). This is based on humanitarian, social and economic arguments which all argue that prevention is

⁵ For the report *Responsibility to Protect* by ICISS, see: <http://www.iciss.ca/report-en.asp>

more beneficial than a reaction towards genocide. In September 2005, in paragraph 138 and 139 of the World Summit Outcome Document at the UN, R2P was established as an international norm. By doing so, the UN lived up to the promise of UN General Secretary Kofi Annan at the international day of reflection on the genocide in Rwanda in April 2004 to make prevention of genocide a priority⁶. R2P has increased the international awareness of prevention of genocide, but it is mainly considered a Western phenomena. Anders Kjøberg (2006:17) argues that there is an opposition between the Western World's implementation of democracy and humanitarian interventions when human rights are at stake, and the resistance from the rest of the World against such policy. Kjøberg (2006:7) states that African states tend to consider the Western policy as colonialism and "new-imperialism". While the Western World tends to be more positive oriented towards international law and norms, states in Africa and also the Middle East are more careful to comply with such ideas since they often tend to be more directly affected by them. International law and norms put obligations and responsibility upon states to react toward crimes against humanity, and such crimes are most likely to be found in African and Middle Eastern states.

2.4.2 Structural explanation operationalized

In order to explore whether the American attitudes and practice towards genocide is determined by the structure, I will look at two factors;

The size of the abuses. By addressing the size of the abuses, I will study the conflicts in Bosnia and Darfur in terms of how long the conflicts lasted, the crimes that were committed, the number of victims, and whether or not the crimes were defined genocide. While Darfur became the first time that an on-going crisis was defined as genocide, the crimes being committed in Srebrenica was first defined as genocide in the aftermath.

The international setting. By the international setting, I mean how the United States' position in the international system determined its behaviour towards Bosnia and Darfur. At both the time of Bosnia and Darfur, the United States served as the global hegemony. Brzezinski (1997:10) argues that the collapse of the Soviet Union left the United States as the first and only truly global power. He (1997:21) further claims that historically the Roman-, the Chinese-, and the Mongol empires, additionally to the European great powers of Spain,

⁶ Kofi Annan's speech (April 7, 2004), *Action Plan to Prevent Genocide*, can be read at; <http://www.preventgenocide.org/prevent/UNdocs/KofiAnnansActionPlanToPreventGenocide7Apr2004.htm>

France and Great Britain have all served as hegemony, but they were only regional hegemony. The United States is the first global hegemony because it stands supreme in the four decisive domains of global power: militarily, economically, technologically and culturally (Brzezinski, 1997:24). With the position as a global hegemony, the United States had ability to intervene and stop the two conflicts, but there was not consensus among the political elite on whether to intervene, or how to intervene towards Bosnia and Darfur. While it is important to keep in mind the American role as a global hegemony, for this thesis, the regional aspect is of more interest. It is the American addressing of the regions of Balkan and Africa that is of interest.

The United States was a global hegemony, but there were other actors present in the international system, which played important roles at the times of Bosnia and Darfur. With regards to Bosnia, the European powers played a significant role by its unsuccessful attempt to stop the crisis prior to the American led NATO intervention in 1995. And with regards to Darfur, the great powers of China and Russia in addition to European powers also had interests in Sudan in 2004. The United States had to act in a way that maintained its interests, and its position in the international system. In order to understand the American response to the crisis in Darfur, it is also important to study the whole Sudanese conflict. The interests of other great powers additionally to regional challenges concerning local actors and the internal conflicts in Sudan might have influenced the American response to define Darfur. The genocide in Darfur was only one element of the conflict in Sudan.

In addition, to structural and ideational explanations, others factors should also be addressed in this study of the American attitudes and response to genocide. I will therefore in the next section present some intervening variables. These intervening variables might have influenced the structural explanations and the ideational explanations, and therefore have influenced the American attitudes and response to genocide.

2.4.3 Intervening variables

In addition to look at ideational explanation in terms of the presence of international law and norms, and structural explanation in terms of the size of the abuses, and the international setting, I will address a couple more factors that might have influenced the American attitudes and practice towards genocide. Those factors are lobbying, the role of media, and the political

actors in Bosnia and Darfur at the time of the crisis. These factors might have served as intervening factors that influenced American attitudes and action.

1. Lobbying. Lobbying is the attempts to influence decisions. For this thesis, there are particular two kinds of influencing forces and lobbying that should be addressed. First of all, there were some members of Congress who repeatedly stood up to speak for increased American involvement in both Bosnia and Darfur. Secondly, there were NGOs and grass roots organizations that were actively involved in lobbying the American Congress and the President to take action. For this thesis, it is especially the second factor, the role of NGOs and other organizations that are of interest, but it is important to keep in mind that some representatives intensively tried to influence the American responses towards Bosnia and Darfur.

2. The role of media The political role of mass media can be divided into “agenda-setting” and framing (Sidahmed, Soderlund&Briggs, 2010:45). While “agenda-setting” is the ability to establish the importance of events and problems in the mind of the mass public by coverage, framing is the way in which particular events or problems are presented in mass media reporting and is significant for the way mass public interpret (Sidahmed, Soderlund&Briggs, 2010:45-46). The linkage between media coverage and public opinion is important, because...”what we know about the world is circumscribed by what the media are able to tell us- and choose to tell us” (Sidahmed, Soderlund&Briggs, 2010:45). In war and conflicts, media tends to side with the victims, which again means that the public will choose side and further call upon its political elite to intervene. Piers Robison (2002) has coined the term ”empathy framing”, reflecting media coverage that is likely to sympathy for crisis victims and to pressure Western governments to intervene.

3. The political situation in Bosnia and Darfur. By studying the political situation at the time of the crisis in Bosnia and Darfur, I address the famous American political saying that “all politic is local”⁷. I will address local actors attempt to influence the international response. The aim is to get an understanding of how authorities and victims in Bosnia and Darfur lobbied and worked since local actors often tend to lobby their interests in a manipulating way in order to trigger a response. While the Bosnian Muslims lobbied their

⁷ The former U.S. Speaker of the House Thomas "Tip" O'Neill coined this phrase when asked to describe how the problems and concerns of towns and cities around the country affect the actions of politicians in Washington, D.C

case to trigger a Western intervention, the Sudanese Government considered a possible intervention to be colonialism or imperialism. Such factors certainly influence the American policy-making, and decisions on whether or not to intervene in the regional conflicts.

3 Research design

A methodical challenge is to justify for the choice of research methods. Liphart (1975:173) argues that the “suitability as research methods depends on the research problem”. In the next section, I will argue for why a comparative case study and document analysis will serve as the best tools to answer my research question.

3.1 Research methods

In order to study American attitude and practice towards genocide, I will rely on a qualitative research design. Qualitative research tends to “focus on one or a small number of cases, to use intensive interviews or depth analysis of historical materials, to be discursive in method and to be concerned with a rounded or comprehensive account of some event or unit” (Keohane, Verba and King, 1994:4). Qualitative research tends to be concerned with words rather than numbers (Bryman, 2004:266). In addition to being narrow and focused on words, qualitative researchers are concerned about process rather than static factors (Bryman, 2004:287). My concern is on the political process that led up to the American practice towards Bosnia and Darfur. In order to study and compare the political processes in Bosnia and Darfur, I will as data rely on documents. Data are “systematically collected elements of information about the world” (Keohane, Verba and King, 1994:23). Relevant data will be officially released documents by the American Congress, the State Department and the American Presidency. Together, these actors make up the American political elite.

The reliance on more than one method in the study of a phenomenon is called method triangulation (Bryman, 2004:275). A major strength of case study data collection is the opportunity to use many different sources of evidence (Yin, 1994:91). This is a strength because “any finding or conclusion in a case study is likely to be much more convincing and accurate if it is based on several different sources of information” (Yin, 1994:92). A challenge related to methodological triangulation is that it tends to be more expensive, and additionally, it requires that the researcher has the necessarily knowledge on how to carry out all the data collection. On the other hand, methodological triangulation has the advantage of ensuring a valid research project. It ensures construct validity because “multiple sources of evidence essentially provide measures of the same phenomenon” (Yin, 1994:92). I will now move into looking at comparative case study and document analysis.

3.1.1 Comparative case study of Bosnia and Darfur

In according to George and Bennett (2005:151), comparative methods “involve the non statistical comparative analysis of a small number of cases”. A relevant question is therefore, what is a small number of cases? Gerring (2007:21) argues that in a case study, the sample is small, consisting of the single case or a handful of cases. In other words, the definition of a comparative case study provided by Gerring (2007) is not too different from how George and Bennett (2005) choose to define a case study. Both Gerring (2007) and George and Bennett (2007) rely on the study of a few cases, which means that the distinction between a case study and a comparative study is blurry. Lijphart (1971:691) even states that a case study should be closely connected to the comparative method. In addition to a diffuse distinction between the comparative and case study methods, Lijphart (1975:24) argues that there is “no clear dividing line between the statistical and comparative methods”. The methods of case study, comparative and statistical studies share many similarities, but for this thesis, I will rely on the definition of comparative research provided by George and Bennett (2005:151).

Comparative case study is the study of a small number of cases. By studying Bosnia and Darfur, two cases are compared, which justify for calling this study a comparative case study. Lijphart (1975:172) argues that an advantage of comparative case study is that by analyzing a small number of cases, “one can be more attentive to details”. This will again verify that concepts are not stretched, and that data are reliable.

First of all, it is important to justify for why the two cases of Bosnia and Darfur have been selected. A logical first explanation is that due to a limited time frame, I am not capable of studying all cases that have either been defined, or considering being defined as genocide⁸. I have already stated that the definition of genocide is diffuse, and that a political definition tends to classify more cases as genocide than the legal definition. In the aftermath of the Holocaust, certain governments around the World have conducted genocide crimes against its people, but with a limited time frame, I am not capable of comparing all these cases. A challenge is therefore to select relevant cases, and I have chosen to limit my study to Bosnia and Darfur, which serves as good representatives for pre- and post-cases of developments on humanitarian intervention that took place in the 1990s. It makes it possible to study whether the United States has become more committed to international law and norms on genocide, or

⁸ For more see; Power, Samantha (2002), *A Problem from Hell, America and the Age of Genocide*. Harper Perennial, New York

if there are structural factors that still determine its attitudes and action. Additionally, the two cases of Bosnia and Darfur have been chosen because of their interesting differences. While Darfur was defined as genocide, Srebrenica was only defined genocide ten years after it took place. While the United States intervened in Bosnia, it did not intervene in Darfur. And additionally, the two conflicts occurred in different regions of the world.

The fact that both Bosnia (Srebrenica) and Darfur have been classified as genocide make it possible to determine whether there has been a shift in how the United States addresses genocide without doing a mistake of defining a case as genocide that should not be defined as genocide. While the United States officially defined Darfur as genocide on September 9, 2004, it was first in the aftermath of the war that the crimes, which had been committed in Srebrenica, were defined as genocide. In 2004, the ICTY condemned the crimes committed in Srebrenica in 1995 as an act of genocide (Honig, 2009:192). On April 19, 2004 in the "Prosecutor v. Krstić" case, ICTY concluded that genocide had been committed against Bosnian Muslims in Srebrenica in July of 1995⁹. In 2007, the International Court of Justice (ICJ) followed up and defined the crimes committed in Srebrenica as genocide¹⁰.

George and Bennett (2005:83) states that case selection "should be an integral part of a good research strategy to achieve well-defined objectives of the study". Case selection should be done in a way that maximizes the variation in the concepts, and variables that is of interests for the study (Andersen, 1997:15). Cases should be chosen for representativeness and causal leverage (Gerring, 2007:88). While the factor of representativeness refers to that selected cases should represent the larger universe, causal leverage means that cases should provide variation along the dimensions of theoretical interest. During the 1990s, humanitarian intervention became the new norm in conflict prevention, and Bosnia and Darfur represents pre- and post cases of this. In the aftermath of the Cold War, there developed an increased focus on the emergence of new conflicts, and on conflict prevention. During the 1990s, humanitarian intervention became the new norm in prevention of conflicts (Finnemore, 1996). The original idea is that sovereign states are expected to act as guardians of their citizens' security (Wheeler&Bellamy, 2005:556), but unfortunately, some states violate the responsibility to take care of their own civilians, and the international community becomes responsible to act. During the 1990s, there developed a belief that the international community was obligated to act towards states and governments that abused or killed their

⁹ In order to read the ICTY case, see: <http://www.icty.org/x/cases/krstic/acjug/en/krs-aj040419e.pdf>

¹⁰ In order to read the ICJ case, see: <http://www.icj-cij.org/docket/files/91/13685.pdf>

own civilians. However, the idea tended to fail in practice. The most obvious example is Rwanda. Within two and a half months of the spring of 1994, 800, 000 Tutsis were slaughtered down by the Hutu population. While people were slaughtered in Rwanda, the world chose to stand idly by as no states wanted to take the necessarily lead of a humanitarian intervention. Even though humanitarian intervention was the new norm in conflict prevention, the international community failed to implement it on Rwanda. The norm of humanitarian intervention failed to live up to the promise of “never again”. On background of the weak willingness to intervene in situations where certain Governments abused Article 51 of the UN Charter, ICISS developed its report “*Responsibility to Protect*”. Bosnia and Darfur serve as good representatives of cases that occurred before and after development in international law on how to address genocide. Representativeness is ensured. The next factor to address is whether a case selection of Bosnia and Darfur lead to causal leverage by providing variation along the dimensions of theoretical interest. I have already presented the theoretical framework and showed how addressing a variety of explanatory factors will make it possible to study the American attitude and practice towards genocide. Causal leverage is therefore also ensured.

3.1.2 Document analysis to track the political processes towards Bosnia and Darfur

In order to study the American practice towards Bosnia and Darfur, I will study the two political processes that led up to a refusal to call Bosnia genocide in 1995, and the use of the genocide definition towards Darfur in 2004. Relevant data for spotting these political processes will be political documents, and decisions taken by the American political elite. For this study, I chose to only focus on the political elite since they are the one who take the final political decisions. By the American political elite, I mean Congress and the administration that is presented through the departments, and the Presidency. With regards to the departments, it is mainly the State Department and the Defence Department that are of relevance.

Documents are “physically embodied texts, where the containment of the text is the primary purpose of the physical medium” (Scott, 2006: 15). Scott (2006:8-9) claims that an effective use of documents requires that the four criteria of authenticity, credibility, representativeness and meaning have been met. The last criteria, meaning, is the most important and fundamental element because the purpose of examining documents is “to arrive

at an understanding of the meaning and significance of what the document contains” (Scott, 2006:32). The purpose of text analysis is to understand the content, and to analyze the meaning of the text (Feiring, 2009). While in text analysis, the main purpose is to analyze specific texts; in discourse analysis the language is the most central factor to study (Bergstrom and Boreus, 2005). For this study, I am more concerned about the specific texts than the language. I am not interested in the specific language, but rather in the meaning of the text.

3.1.3 Sources for the text analysis

Relevant documents to study were official documents and statements from political debates in the American Congress. To find such documents were not difficult since “documents produced by governmental authorities, both nation and local, comprise the single largest class of documents available to the social researcher” (Scott, 2006:18). A main challenge was instead to limit my study to use the most relevant documents

In order to get a good picture of the political debates on Bosnia and Darfur, I have looked at Congressional Records, Congressional Hearings, and Public Papers of the President. In addition, I have studied bills and resolutions that were debated and passed concerning the two conflicts. Congressional Records are the official records of the proceedings and debates of the United States Congress. Congressional Hearings are records of testimonies that are given before congressional committees, and Public Papers of the President are the official published public writing, addresses and remarks of the American president. Additionally, and in order, to get an improved picture of the American situation, I have also studied the UN resolutions that were of relevance to the United States’ action towards Bosnia and Darfur. Due to the many documents that address the American practice towards genocide, I had to limit my study to some of them. I have been relying on Library of Congress’s THOMAS website, and the U.S Government Printing Office (GPO). While the THOMAS website provided me with Congressional Records and passed bills and resolutions, GPO’s website provided Congressional Hearings and Public Papers of the President. McCulloch (2004) states that online, or what he also refers to as virtual documents, can change the definition of documentation. Instead of travelling to get access to archives, the Internet allows for easy access to documents. This is an advantage, but at the same time it is important to be critical. An element to be aware of is that when government have established their own website there are lots of information, and the information that it provides tends to cast the department and its ministers in a favourable light (McCulloch, 2004:39). Another challenge to keep in mind is

that all documents might not be published, or that there sometimes might be limited access. I realized this when no matches appeared in the search for “Srebrenica” in Congressional Hearings for 1995. It appears that the GPO’s website does not have a complete collection of Congressional Hearings from 1995. In order to do a comprehensive search to see if there were any hearings on “Srebrenica” in 1995, I had to search in Lexis Congressional, which is a subscription database that is not available to the free Internet. All this information, I got from the Digital Reference Section at the Library of Congress. In order to overcome challenges of finding the right documents, I have contacted the Library of Congress that has provided me with constructive help and information.

Since my focus is on the political debates that lead up to the fall of Srebrenica in July 1995, and the decision to define Darfur genocide on September 9, 2004, I limited my search in Congressional Records to the 104th Congress (1995-1996), and the 108th Congress (2003-2004). Especially with regards to Bosnia was such limitation important. The Bosnian War lasted from 1992 to 1995, which means three Congresses and many documents. I therefore choose to limit my search to “Srebrenica”, and not “Bosnia”. But with that being said, I also looked at some of the debates that took place in the 103rd Congress. This was in order to get some background, but the focus was mainly on the 104th Congress. With regards to Congressional Hearings and Public Papers of the President, I limited my search to the time frame from January 1, 1995 to December 31, 1995 with regards to Bosnia/Srebrenica, and January 1, 2004 to December 31, 2004 with regards to Darfur.

At the same time as documents and statements were used as primary sources, already existing literature serves as secondary sources. I have already stated that much is written in the field of genocide, and I relied on such literature for improved knowledge and background information.

3.1.4 Validity and reliability

Cook and Campbell (1979) have developed a validity system consisting of the four requirements of, statistical conclusion validity, internal validity, construct validity and external validity. Since statistical conclusion validity concerns whether the statistical contexts are significant and strong, and I am doing a qualitative study, it will not be of relevance here. Construct validity, on the other side, is relevant for this study since it focuses on whether the variables measure the relevant concepts of the research question. The solution to construct validity is secured through a good operationalization. A good operationalization ensures that

the theoretical concepts and the operationalized concept measure the same. For this study, it was important to operationalize Craig Parsons's structural and ideational explanations so it applied to my study of the American practice towards genocide. Internal validity is if the context is causal, while external validity concerns on the ability to generate findings to the universe (Lund, 2002:107). Case studies tend to score higher on internal validity than on external validity (Gerring: 2007:43) This study provides a high level of reliability because of its reliance of officially released and published documents and statements by the American Congress, American Presidency and the United Nations. Since the documents are easy to access, it should be relatively easy for others to control my study. It is also important to empathize that case studies are often criticized for a lack of statistical representativeness, which threatens the opportunities for generalization (Andersen, 1997:14). Generalization is instead secured through analytical or theoretical representativeness

4 Empirical part

In this chapter, I will study the American attitudes and responses towards Bosnia in 1995 and Darfur in 2004. A variety of explanatory factors will be addressed. First of all, structural explanations will be addressed in terms of the two conflicts and the international settings. Then, ideational explanations will be studied in terms of the presence and importance of international law. Lastly, I address lobbying, the role of media and local politics, which might have served as intervening variables to influence the American attitudes and responses. Each section will provide a discussion of both Bosnia and Darfur, before it ends with a brief comparison in order to conclude whether there has been a shift in the American attitudes and responses.

4.1 Structural explanations

I have earlier operationalized structural explanations to the size of the conflicts and the international settings. In the next section, these two factors will be addressed.

4.1.1 The conflict in Bosnia

A brief introduction to the Bosnian War 1992-1995

In July 1995, Srebrenica, a town located in the Eastern part of Bosnia and Herzegovina, became the scene for some of the worst violence committed during the Bosnian War (1992-1995). The UN had already on September 25, 1991 expressed deep concerns about the situation in Bosnia by passing S/RES/713 that implemented embargo on all deliveries of weapons and military equipment to Yugoslavia. The Bosnians were disarmed, with a promise that they would be safe and protected by the international community. The problem was that as the conflict intensified, Bosnian Muslims were not able to defend themselves against increased Serb aggression, and the UN also failed to protect civilians. The Serbs had the military advantage. In addition to have the military officers, The Serb side also took over the military equipment. Milosevic continued the policy that he had adapted in the 1980s to seize control of Serbian political structures in order to, “assume the leadership of a growing Serb nationalist movement that cut across republic boundaries, including those of Bosnia-Herzegovina” (Burg&Shoup, 1999:44). In the aftermath of the collapse of the Communist

regime and the dissolution of Yugoslavia, nationalistic oriented political leaders, like Milosevic had taken over. These leaders shared an old-fashioned Balkan belief that in order to seize control, territorial control was not enough. Also ethnic homogeneity was necessary (Mønnesland, 2009:348).

The Bosnian War (1992-1995) was in other words a result of the ethnical conflicts that emerged with the dissolution of Yugoslavia in the early 1990s. In the aftermath of a referendum in February 1992, Bosnia declared its independence in March 1992. At the time of the Bosnian referendum, the ethnic composition of Bosnia was 43% Muslims, 31% Serbs, and 17% Croats (Mønnesland, 2009:353). In order to secure Serbian territory, the Bosnian Serbs rejected the Bosnian referendum, and following the declaration of Bosnian independence in 1992, Bosnian Serb forces attacked the Bosnian Muslims. One of the first steps taken was to siege the capital Sarajevo, which lasted from April 1992 to February 1996. The war was mainly a conflict between Bosnian Muslims and Bosnian Croat on the one side, and Bosnian Serbs on the other. Events such as the siege of Sarajevo and the massacre in Srebrenica have become iconic of the conflict. Since I limit my study to the incident of Srebrenica, I will now briefly introduce the fatal massacre that occurred in July 1995.

Srebrenica- “blood up to your knee”

On May 6, 1993, the UN, still deeply concerned about the conflict in Bosnia, passed S/RES/824, declaring Srebrenica, Sarajevo, Tuzla, Zepa, Gorazde and Bihac to be treated as safe areas, but increased involvement by the international community was not enough to stop the Serb aggression. On May 24, 1995, the French General Janvier had warned the UN Security Council that none of the safe areas were defensible (Gallagher, 2003:157). On July 6 1995, Serbian General R. Mladic announced that, “there will be blood up to your knees” (Jones, 2006:218), and on 11 July 1995, Bosnian Serbs launched a carefully prepared attack on Srebrenica. Within the next few days 8,000 Bosnian Muslims men was killed. In addition to the large number of casualties, Srebrenica, and the Bosnian War in general, offered one of the most vivid modern instances of gendecide, or gender selective mass killing (Jones, 2006:216). In Srebrenica, men were separated from women and children, and while women and children were deported, men were murdered. Additionally, many died in the countryside. Expecting a massacre once Srebrenica fell, there were many Bosnian Muslims who tried to escape, but most of them were hunted down (Gallagher, 2003: 158). Srebrenica is recognized among the worst single war crimes committed in Europe since Second World War. It became

the one of the worst slaughter in Europe since killings of political opponents by Yugoslav partisan forces after Second World War (Jones, 2006:219). In addition to be characterized as the one of the worst single war crime, Srebrenica has become synonymous with a great failure of the international community (Honig, 2009:192). It became the final defeat in the Bosnian War for the UN that failed to protect the civil population against massacre (Mønnesland, 2009:355). In the summer and fall of 1995, the UN passed three resolutions, S/RES/1004, S/RES 1010 and S/RES 1016, to express its concerns for the innocent civilians, and demanded withdrawal of Serb forces from the safe areas. But they were passed too late as 8,000 had already been killed in Srebrenica. During the Srebrenica massacre, the UN peacekeepers only adopted an observational position. Comiteau (2011) argues that, "outnumbered and poorly equipped, Dutch U.N. peacekeepers, or Dutchbat, bowed to General Ratko Mladic's demands and forced the many Muslim families who had sought refuge on their base out of the compound". In the aftermath of the massacre, the Dutch state has argued that because its troops were serving under the auspices of the U.N. during the Bosnian war, the Netherlands could not be held responsible for its action (Comiteau, 2011)

Srebrenica fell "because of a lack of will on the part of the international community to use force in defense of human rights" (Honig, 2009:194). In the aftermath of the shock of Srebrenica, the great powers with the United States in lead took over the international involvement in Bosnia. This led to the NATO's bombing, code-named Operation Deliberate Force in the fall of 1995, and the Dayton agreement in December 1995. The Serbian ethnic cleansing was not a result of threats, but rather due to planned and conscious politics (Mønnesland, 2009:352). In according to Honig (2009:193), Srebrenica is a clear instance of the strategy of ethnic cleansing practiced by the Serbs since 1991.

Srebrenica was the only massacre that in the aftermath of the Bosnian War was found to be genocide. In 2004, ICTY (case no: IT-98-33- A: Prosecutor v. Krstić) stated that crime committed by the Serbs against Bosnian Muslims in Srebrenica was genocide. ICJ followed up by declaring the same in 2007 in case 91; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide*. In 2005, the United States passed S.RES 134 and H.RES 199, stating that the Serbs policy of aggression met the terms of being defined as genocide. The two resolutions were passed at the ten years anniversary of the Srebrenica massacre in order to honor the victims. The summaries of the two resolutions are identical, and claim that the United States and the UN should accept their responsibility for allowing the massacre in Srebrenica to occur, and further seek to ensure that it would not happen in the

future. Ten years later, in 2004, the crisis in Darfur caught the world's attention.

4.1.2 The conflict in Darfur

In Darfur, conflicts have historically been between two groups, the Arabs and the African agriculturalists. The conflicts of 2003 and 2004, which lead up to the genocide were not of any exceptions. Samuel Totten (2009:198) claims that the genocide in Darfur in 2004 was caused by factors of extreme drought, increased desertification, Arab supremacism, authoritarianism, extreme nationalism, an ever-increasing bellicosity in the region, and disenfranchisement of black Africans at the hands of the Sudanese government. The extreme drought in the early 2000s resulted in Arabs taking over land that had originally been used by various African tribal groups for agriculture. As a result of reduced agricultural production, there was a decrease in food supplies. The African agriculturalists were not just taken away their source of income. They also started to suffer from starvation. Due to the hopeless situation, feelings of marginalization, invasion and exploitation developed within the black African population (Jones, 2006:252). People were hungry, tired and let with no hope for the future. On background of this, the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) attacked the Sudanese government (GOS), led by President Omar al-Bashir. On March 2003, SLM/A announced that “the brutal oppression, ethnic cleansing and genocide sponsored by the Khartoum government left the people of Darfur with no other option but to resort to popular political and military resistance for purposes of survival” (Totten, 2009:203). The Sudan Liberation Army/Movement (SLM/A) was the more important of the two groups in terms of numbers, military capabilities and popular support. The movement's leaders came from the educated elite who fought for improved power and influence in Khartoum. SLA/M was fighting on behalf of all the marginalized people in Darfur. JEM, the other group that attacked the government in 2003, was created by Darfurian Islamist intellectuals. Just like SLM/A, JEM also aimed for increased political influence and to pressure the Governments for its failed promises of equity and prosperity in Sudan. The two rebel groups acted in concert against the government during the crisis in Darfur, although remained wary of each other and never integrated politically or militarily (Whitty, 2008:23-24). While Al-Bashir and his government responded by attacking African villages, it also equipped and cooperated with the Arab militia Janjaweed.

The world's worst humanitarian catastrophe

From March 2003, “Janjaweed” and troops of the Sudanese government slaughtered men and boys, raped, mutilated and often killed females, looted household goods and animals, and then burned homes and villages” (Totten, 2009: 204). Jan Egeland, then the UN Under- Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, declared that the Darfur region was probably the world’s worst humanitarian catastrophe”¹¹. The GOS has tended to blame the Janjaweed for being responsible by repeatedly denying that its troops have taken part in actions against the black Africans of Darfur, but evidence indicates that the vast majority of the attacks have been carried out in a coalition of the two. Totten (2009:196) states that, the GOS often hired the Janjaweed. A survey of Sudanese refugees conducted by an U.S State Department Atrocities Documentation Team in the summer of 2004 proved that a majority of the victims considered both the Janjaweed and the Government of Sudan as perpetrators.

Between 2003 and 2007, the international community has worked in various ways though hardly effective ways to bring the Darfur crisis to a close (Totten, 2009:207). The international community has met obstacles in their work to prevent and improve the humanitarian situation since the Government of Sudan has shown little willingness to cooperate. The United States officially declared Darfur as genocide on September 9, 2004. In the aftermath of Darfur being defined as genocide, steps have been taken to stop the crisis. The African Union (AU) was allowed to deploy a small ceasefire monitoring team in Sudan, but the AU troops were outmanned and outgunned (Totten, 2009:207). In July 2007, Sudan allowed the UN special force, UNAMID, into Darfur.

4.1.3 A comparison between the conflicts

In both Bosnia and Darfur men and boys were slaughtered. Women were raped. Families were split, and villages and houses burnt. Within only a few days in July 1995, Serb forces killed 8000 Bosnian Muslim men. In Darfur, at least 200,000 were killed (Kjølberg, 2006:24). A comparison of the victims could mean that the size of the abuses were larger in Darfur, but at the same time it is important to keep in mind that for this research project, I have limited my study to the massacre of Srebrenica. The massacre of Srebrenica lasted for

¹¹ Jan Egeland in a statement to "The World," BBC/Public Radio International, December 18, 2003.

only a few days, while the Bosnian War lasted for three years. A study of the whole Bosnian War would have given a higher number of casualties than 8000 in Srebrenica. It is also important to state that the numbers of casualties in Bosnia and Darfur have been debated. In 2002, the International Peace Research Institute (PRIO) concluded that at least 7475 persons have been reported as missing and are presumed dead after the fall of the Srebrenica enclave on 11 July 1995 (Brundahl, Lyngstad&Urdal, 2002:244). The number of casualties in the whole Bosnian War was 102,000 (Tabeau og Bijak, 2005:206).

Both the massacres in Bosnia and Darfur can be considered very serious. The size of the abuses alone is not sufficient to explain the different American attitudes and practice towards its genocides. The different international settings have also to be taken into consideration.

4.2 The international setting

In this section, I will address the international settings in 1995 and 2004 in order to see whether this influenced the American attitudes and responses towards Bosnia and Darfur.

4.2.1 International setting at the time of the Bosnian conflict

The Bosnian conflict was considered to be a European problem (Power, 2002), and the United States intervened only after Europe failed in addressing the conflict. European policy makers had already in early 1991 claimed that they had authority, strength, and the will to manage the collapse of Yugoslavia (Power, 2002:258). In order to let Europe show their ability to act as a unified power, the United States therefore stepped aside. The United States stayed with its defensive plan until the Bosnian crisis intensified, and Srebrenica fell in July 1995. The American political elite debated concrete action to help innocent civilians, but it chose to stay passive behind Europe until Srebrenica fell.

Already prior to 1995, both the Secretary of State, and the President showed low interests in Bosnia. Repeatedly throughout the war, Secretary of State James Baker announced that the United States “did not have a dog in the fight”. President Bush neither paid much attention to the conflict in Bosnia. He often asked National Security Advisor Scowfort about, “Now, tell me again what this is all about?” (Power 2002:286). The low interests in Bosnia

continued throughout the 104th Congress. In July 1995, Senator Reid (CR¹², 1995: S9980) argued that it was time for the United States to “step back, and let other countries do their share for a change...we have done Somalia; we have done Haiti. Have we not done enough?” As late as mid-July 1995, President Clinton (PP¹³, 1995b:1089) claimed that it was not in the American interests to step up its involvements in Bosnia.

There was a split in the American political elite on whether Bosnia was only a European problem. There was a political split on whether the United States should stick to its defensive policy, or adapt a more offensive oriented approach on Bosnia. Additionally, there was a split with regards to whether Bosnia was considered only a European problem. Power (2002:287) argues that the officials within the State Department who cared about America’s Bosnia policy could be divided into three groups. First, there were those who favoured an American intervention, secondly, senior policymakers who opposed it, and lastly the officials who supported bombing but assumed it would not happen. While both President Bush and President Clinton opposed an intervention because Bosnia was considered a European problem, there were those who argued in favour of the opposite; that Bosnia was an American interest. In a Congressional Hearing before the Commission on Security and Cooperation in Europe, Christopher Smith (CH¹⁴, 1995a:11) stated that, “this is not just Europe’s problem”. A major challenge for Europe in stopping the conflict was the increased number of refugees as the war escalated. The concern for innocent civilians should be considered more as an international problem, than only a European problem. In a House Hearing, before the Committee on International Relations on the American policy in Europe in July 1995, Holbrooke (CH, 1995d:46) claimed that, “the United States will be an active participant in Europe for a simple reason- our self- interests require it”. His argumentation was based on a fact that history proves that when the United States disengage from Europe, the European instability that follows draws the United States back in. On this background, Holbrooke (CH, 1995d:2) stated that the United States should commit itself to an engaged and active foreign policy throughout Europe.

Representative Frank Wolf claimed that Congress tended to be too focused on economic

¹² For this thesis, I use CR as an abbreviation for Congressional Record. All Congressional Records are cited with the following information in the bibliography: Author. *Title*, TYPE OF MEDIUM. Date of publication. Supplier. Available: Uniform Resource Locator . [Access date]

¹³ For this thesis, I use PP as an abbreviation for Public Papers of the President of the United States. All Public Papers are cited with the following information in the bibliography: Author. *Title*, TYPE OF MEDIUM. Date of publication. Supplier. Available: Uniform Resource Locator . [Access date].

¹⁴ For this thesis, I use CH as an abbreviation for Congressional Hearing. All Congressional Hearings are cited with the following information in the bibliography: Author. *Title*, TYPE OF MEDIUM. Date of publication. Supplier. Available: Uniform Resource Locator . [Access date].

issues, and less on moral and human right issues. In a Congressional Hearing before the Commission on Security and Cooperation in Europe in April 1995, Wolf (CH, 1995b:4) stated that, “It is hard to get Congress members to focus on human right issues”. In the aftermath of the fall of Srebrenica, Christopher Smith talked to the House of Representatives about national interests. He (CR, 1995: E1620) stated that 27 NGOs had together come up with an agreement that, “Bosnia is not a faraway land of no concern to our ‘national interest.’ At stake is the global commitment to fundamental human values, the right not to be killed because of one's religious or ethnic heritage, and the right of civilians not to be targeted by combatants”. Smith called for increased efforts in order to stop the crisis in Bosnia.

While the Clinton administration that took over in 1993 tended to consider the conflict a European problem, there was pressure from voices in Congress for a more active and engaged policy towards Bosnia. In the aftermath of the fall of Srebrenica, the administration became more offensively oriented. The United States changed focus from being moral oriented in sense of helping innocent civilians, to become more concerned about the actual crimes being committed by Serbs against civilians. While the American political elite had debated concrete action during the whole Bosnian War, it was first after Srebrenica’s fall that the United States adapted a more offensive policy towards Bosnia. In 1995, as Europe had failed, the United States and NATO intervened, with the *Operation Deliberate Force*. The American lead intervention can be considered a tool to strengthen the NATO’s position and its credibility to ensure peace and stability. While NATO was established in 1949 as a collective defence system to ensure peace and security, it failed to live up to those promises as the Bosnian war escalated. During the Bosnian War, NATO transformed from being a collective defence system to become a collective security organization. It went from providing defence to provide international stability, which originally was the role of the UN. The NATO was in other words taking over the role of the UN. NATO, just like the United States, stepped aside in order to let Europe solve the conflict. In 1995, as Europe had failed, the United States and NATO intervened.

4.2.2 International setting at the time of the crisis in Darfur

In 2004, as the GOS failed to fulfil the responsibility of protecting its own people, the United States, and the international community saw it necessarily to increase its involvement in the crisis. The Congress more frequently addressed the conflict, but the United States did not intervene. Such a response can be explained in different ways; the United States was already

involved in Afghanistan and Iraq, the genocide in Darfur was only one element of the Sudanese conflict, and there were other great powers involved in Sudan. Instead of intervening, the United States tried to have other actors to intervene. This was based on the fact that an American or NATO lead intervention would result in negative reactions from regional leaders in Africa or the Middle East who tended to favour the principle of state sovereignty and non-intervention. Sudan is important for both the African and Arabic World, which challenged the legitimacy of an American lead intervention. A reliance on the UN can therefore be considered as a tool to legitimize the operations. While the United States can be accused for colonial or imperialistic politics, The UN cannot be accused for colonialism or imperialism. The ability of the United States to intervene was challenged from local actors, which will further be addressed in a later section. Now, I will look at other reasons for why the United States alone did not intervene in Darfur.

First of all, the United States was already involved in Iraq and Afghanistan, and could not afford or risk to get involved in a third war. This can explain why the United States adapted a more verbal than physical oriented approach regarding an intervention in Darfur. Second, the conflict in Sudan was complex, which meant that the genocide in Darfur was only one element of the conflict. Already in 1955, there broke out a civil war between the Northern Sudan, predominately Arabs and Muslims and the Southern Sudan that was mainly Christian. As the war intensified, the international community got involved in peace negotiations. Huliaras (2006:709) argues that, "for many years, external mediator including Nigeria, Kenya, Ethiopia, and former U.S. president Jimmy Carter had tried unsuccessfully to persuade the Sudanese government and southern rebels (SPLA/M) to cease the fighting". In 1995, the United States succeeded in negotiating the longest ceasefire in the war, which lasted for almost six months. Peace negotiations intensified in 2003 and the early 2004, and finally in January 2005, both sides signed the Comprehensive Peace Agreement.

The United States mainly supported the Southern side, and the Christians. Jodi Eichler-Levine and Rosemary R. Hicks (2007:715) claim that, "evangelical Christians were active in Sudan prior to the Darfur crisis. During the 1990s, they lobbied for American intervention after reports that Christians in Southern Sudan faced attacks from roving Arabs". In according to Huliaras (2006:712) evangelists comprise an important part of the Republican voter base. For decades, evangelical groups had mainly been focused on domestic issues, but in recent years the evangelical political agenda has shifted to foreign affairs, and as the conflict in Sudan intensified, "evangelical groups also started to show a strong interest in U.S. foreign

policy toward Africa's largest country" (Huliaras, 2006:712). Huliaras, (2006:717) states, "the evangelical community played a critical role in placing Sudan on the U.S. government agenda". In a Senate Hearing before the Committee on Foreign Relations, the Special Advisor to the President, John Prendergast argued that, "Sudan has been at the top of the Bush Administration's radar screen since it came to office" (CH, 2004b:49). In the same hearing, the assisting Secretary of State for African Affairs, Charles Snyder (CH, 2004b:9), claimed, "the administration considers resolving the situation in Darfur to be one of its highest priorities". The United States adapted an offensively oriented approach towards Darfur by condemning the crimes that were being committed, declaring it as genocide, increasing its economic spending on humanitarian assistance and peacekeeping missions, in addition to called upon the UN to act in similar ways. The United States' policy was "do not do anything through the government of Khartoum. Don't give them money, "We have two sets of partners primarily. One is the U.N. and other international agencies and the others are NGOs, nongovernmental organizations" (CH, 2004b:39). It was most important to have the Government of Sudan to stop the atrocities against its own people. Before the Government could cooperate with the United States on economic issues, it was necessarily to be able to protect its own people.

Another reason for the increased American involvement in Darfur and Sudan can be connected to the war on terror. Sudan had become a safe haven for international terrorists groups, certainly a reason to trigger an American involvement in the region. In order to sum up, the conflict in Sudan was complex, and regional factors such as the civil war, the war on terrorism and peace negotiations might have limited the focus on the genocide in Darfur. The genocide in Darfur, emerging just as the civil war in the Southern Sudan ended, was only one puzzle of the whole conflict.

Besides the United States, there were also other states present in Sudan at the time of the Darfur crisis. Kjølberg (2006:21) claims that the three great powers of the United States, China and Russia all had national interests, which they refused to risk in Sudan. While the United States addressed Sudan and Darfur in terms of condemning the crimes and declaring it as genocide, it additionally worked with Sudan in order to combat international terrorism (Kjølberg, 2006:21). The Russian interests were mainly concerned with weapon sales. Besides Russia, China was also involved in weapon sales to Sudan, but its interests were mainly based in oil. Human Rights Watch¹⁵ states that the Chinese involvement in Sudan and

¹⁵ In order to read the whole report, see: <http://www.hrw.org/reports/2003/sudan1103/26.htm>

Darfur can be explained in, “a need for oil reserves for its growing domestic economy caused its government to pursue investments in many countries of marginal stability and democracy”. 80% of Sudan’s oil export goes to China (Kjølberg, 2006:17). In addition to oil import, Human Rights Watch stated that since 1996, China has supplied Sudan with arms. It has been claimed that China sold weapons and received oil in exchange¹⁶, which was a violation of the UN embargo. A report by Human Right First claims, “90% of the light weapons bought by Sudan, and used also in the war in Darfur, were sold by China¹⁷. At the same time, it is important to mention that this percentage number of weapon sale to Sudan is debated. While Human Right First claims that China is the main supplier, another report by the Stockholm International Peace Research Institute states that in the period of 2003–2007, Sudan received 87 per cent of its major conventional weapons from Russia and 8 per cent from China (SIPRI, 2008:4). In addition to the three great powers, also Europe had interest in the Darfur crisis (Kjølberg, 2006:21). Also European states accused and condemned GOS for the crimes being committed towards innocent civilians. While the focus for this research project is on the American practice towards Darfur, it is important to keep in mind that also other states had interests in Sudan in 2004.

4.2.3 A comparison of the international settings at times of Bosnia and Darfur

A comparison of the international settings in 1995 and 2004 will be done in terms of two factors; did the local actors want an intervention, and were there American resources available. First of all, with regards to Bosnia, local actors were in favor of an intervention and there were resources available. The Bosnian war had challenged the credibility to NATO, and an intervention can therefore be considered as a tool to strengthen its position and credibility. Europe had failed to stop the crisis, and the United States and NATO intervened in 1995. The scenario was different towards Darfur. In 2004, local actors were not favoring an intervention and there were not resources available. The GOS was favoring the principle of state sovereignty and non-intervention, claiming that an intervention was colonialism or new-imperialism. African and Arabic states supported GOS in such view. An intervention would therefore have resulted in negative reactions in the region. In addition, the United States was

¹⁶ <http://www.asianews.it/index.php?l=en&art=11773>

¹⁷ Link to the report by Human Right First: <http://www.humanrightsfirst.org/wp-content/uploads/pdf/080311-cah-arms-sales-fact-sheet.pdf>

already involved in Afghanistan and Iraq, and did not want to get involved in another conflict. There were also other great powers that were present in Darfur in 2004. China, Russia and other European states were also present. The United States stayed multilateral engaged by calling upon the UN to increase its action. This can be set in connection with the American interests. A multilateral oriented United States is more likely to gain respect in the world than a unilateral actor only concerning about its own interests. According to Mazarr (2003:519), "the United States is stronger when it acts in alliances and under the United Nations banner".

Besides a need to maintain its national interests, a multilateral orientation by the United States in 2004 can also mean it was more aware of the presence and importance of international law on genocide at the time of Darfur. It might have been in the American interests to address and prevent genocide. I will study such argument in the next section, but for now I conclude that the international setting cannot directly and alone explain the American attitudes and response towards genocide. While the United States considered Bosnia as a European problem, it considered Darfur as an international problem. The United States was in other words not considering any of the conflicts to be its own national problem. The American involvement should therefore be explained in other factors than just the international setting. I will later also study some intervening variables, but first, ideational explanations should be addressed.

4.3 Ideational explanations

I will now move on to address the ideational explanations, in terms of the presence and importance of international law at the times of the conflicts in Bosnia and Darfur.

4.3.1 The presence and importance of international law and norms at the time of Bosnia

Power (2002:288) claims that in the first years of the conflict, the Bush administration avoided to use the term genocide because a genocide finding would create a moral imperative. Instead of applying the term genocide, President Bush preferred the phrase "ethnic cleansing". Power (2002:292) argues that the closest the Bush administration came to acknowledging genocide was on December 18, 1992, when the United States joined a UN General assembly

resolution holding Serbian and Montenegrin forces responsible for aggression, and for “the abhorrent policy of ethnic cleaning, which is a form of genocide” (A/47/121, 1992). As the Bosnian crisis intensified during 1995, Congress more frequently addressed whether Bosnia was genocide. An implementing of the term genocide on Bosnia would mean that the United States was expected to undertake action thereafter.

There had already prior to the 104th Congress been some discussions on whether the crime committed in Bosnia was genocide. In June of 1993, Representative McCloskey (CR, 1993:H4263) claimed “the Bosnian Moslem people are being decimated by a systematic genocide run by the Belgrade regime of Slobodan Milosevic”. In the same Congressional debate, Representative Bonior (CR, 1993:H4262) agreed, and stated that there should be let no doubt “that what is happening to the Moslems in Bosnia is genocide. Ethnic cleaning is genocide”. A year later, in April 1994, Representative John Olver (CR, 1994: H2634) announced that “we have called it ethnic cleansing, but perhaps that is a prettier word for what it is- genocide”.

While Congress in 1995 debated whether Bosnia was genocide, the focus for the Clinton administration was not on whether the term genocide should be taken in use. The term genocide is not mentioned in any of the ten studied Public Papers of the Presidents from 1995 on “Srebrenica”. The focus in all these ten papers is Clinton’s response to whether the arms embargo should be lifted in order to stop the crisis, and not on whether the crimes committed were genocide. Such finding reflects that the Clinton administration was more focused on real political challenges than the ideational link between action and crime that became more relevant at the times of Darfur. While there are no findings of the term genocide in any of the Public Papers of the President from 1995, the term is more frequently used in Congressional hearings, and it even more frequently appears in the Congressional records of the 104th Congress. This could implicate that the administration was more aware of the responsibilities and obligations that followed a genocide definition than Congress.

At the time of the Bosnian War, the White House never issued a directive calling for research, or analysis to determine whether a genocide case should be made against Milosevic or Yugoslavia (Power, 2002:290). During 1995, there were some independent investigations, but these were not ordered from the White House. On background of an investigation, CIA Deputy Director for Intelligence John Gannon in early August 1995 stated that that it was mainly the Bosnian Serbs who had been committing the crimes in Bosnia. In addition to the investigation conducted by CIA, the world’s largest rape investigation was conducted in

Bosnia. In a Congressional Hearing on genocide in Bosnia-Herzegovina before the Commission on Security and Cooperation in Europe in April 1995, law professor Bassiouni testified about this rape investigation. Bassiouni was among those who had examined over 1600 cases of rape, identified mass graves, and visited areas in Bosnia from 1992-1994. Bassiouni (CH, 1995b:7) claimed that on background of their findings, ethnic cleansing was taking place. In Congressional debates, there sometimes tended to be a blurry distinction of the two terms ethnic cleansing and genocide. Representative Bonior (CR, 1995:H4262) even argued that, "Ethnic cleaning is genocide". A factor important to keep in mind is that the members of Congress are politicians, and not analysts. This could simply clarify the blurry use of the terms ethnic cleansing and genocide. While members of Congress tended to blurry the two terms, there were others who tried to stress the importance to distinct between the two terms.

Professor Bassiouni tried to create awareness of the importance of keeping the two terms of ethnic cleansing and genocide separate. An implementation of genocide would lead to certain responsibilities and obligations under international law. Bassiouni (CH, 1995b:12) claimed that, "the question of genocide is a little more complicated because of the way the Convention is drafted in terms of a specific intent". He (CH, 1995b:12) further argued that whether Bosnia is genocide would depend on the contexts of the study. "If you took, for example, the context of Prijedor, where 56,000 Bosnians are missing and a large number of them were killed...then you can find an intent to eliminate in whole or in part a particular group within that context. If you take the broader interpretation of genocide as involving the entire group of the nation, then, of course, you cannot reach the same conclusion". In other words, while a narrow focus could justify calling Bosnia genocide, a broader context would not allow a determination of Bosnia as genocide. Senator Thurmond was among those who were aware of the seriousness of calling Bosnia genocide. Instead of explicitly using the term genocide, Thurmond (CR, 1995:S10177) drew a parallel between the crimes in Srebrenica, and the Second World War.

There are obligations connected with a genocide definition, and it was the Genocide Convention that shaped expectations about obligations in 1995. Article 1 of the Genocide Convention states that genocide is a crime under international law that Contracting parties undertake to prevent and punish. An implementing of the term genocide would mean that the United States was expected to undertake action in Bosnia. R2P was not present at the time of Bosnia in 1995. In Congress, Smith (CR, 1995:E1620) reminded the United States that the

international community has a moral and legal duty to prevent genocide through the Genocide Prevention. In a Congressional Hearing for the Commission on Security and Cooperation in Europe, Christopher Smith (CH, 1995a:2) stated that, “the world’s commitment to the human rights is questioned when our collective consciences are unaffected by the horrors that is reported from Bosnia-Herzegovina”. In the same hearing, Bosnian Prime Minister Silajdzic (CH, 1995a:6) reminded the Commission on Security and Cooperation in Europe that, “no country can escape the unilateral responsibility to oppose genocide and aggression”. He stated that Bosnia was genocide, and read article 2 of the Genocide Convention to remind everyone about what genocide is. Chairman Smith (CH, 1995a:9) agreed, and expressed that, “this absolutely is genocide”. Besides this, the Genocide Prevention was not too frequently mentioned during the 104th Congress. This can be set in connection with the refusal to define Bosnia and Srebrenica as genocide. The obligations under the Genocide Convention will only apply when a genocide definition occurs.

Among the American political elite, there was during 1995 a debate on whether Bosnia should be defined as genocide or not, but it is important to stress that the main part of the debate was on whether the arms embargo should be lifted or not. The main focus was on concrete action in order to help innocent civilians. It was in other words not the importance of having Bosnia defined as genocide that was most relevant in the American political debate in 1995, but more the real political challenges.

4.3.2 The presence and importance of international law and norms at the time of Darfur

Darfur became the first time that an on-going crisis was defined as genocide, but for some of the American political elite it was not enough to have Darfur defined as genocide. Following the American decision to define Darfur as genocide on September 9, 2004, there developed an increased focus on obligations and responsibilities that follow a genocide definition. For many within the United States, words were not enough, and a call for concrete action developed. The fact that the political elite applied the genocide definition on Darfur, and at the same time was aware of the responsibilities that followed such action proves that politicians relied on international law towards Darfur. The government of the United States was at the time of the Darfur crisis aware of the connection between crime and action, but such awareness can also be explained as an element of idealism in the Bush administration’s politics, and therefore not as a concern about international law. I will discuss this later.

As the crisis in Darfur intensified, members of Congress called upon the Bush administration to take stand in order to define the conflict in Darfur. In the beginning of July, Representative Frank Wolf (CR, 2004: D723) sensed that Powell should make a determination as to whether the situation in Darfur was genocide. Two weeks later, in mid-July, Wolf took the floor again. He had just returned from a trip to Sudan, and stressed the importance of defining Darfur as genocide, in addition to take action thereafter (CR, 2004:H5918). Besides speaking, Wolf was eager to have articles and statements recorded. This was of importance so when historians later would look back at Darfur, they would see evidences that the world knew. At the time of Darfur, there had not been a lack of information, but rather a lack of willingness to act. (CR, Wolf, 2004:E1071). Frank Wolf was among those who most frequently took the floor in order to address the situation in Darfur. Wolf (CR, 2004:S7506) often stated that, "I am going to keep mentioning this issue on the floor at every opportunity because we have a chance to reverse the travesty". A study of documents from the 108th Congress shows that representatives Wolf accomplished with Lee, Kennedy, Feingold, Prendergast and Cummings took the floor repeatedly in order to put focus on the situation in Darfur. Their aim was to "focus on Darfur and not have it fall of the radar screen" (Senator Corzine, CR, 2004:S4946).

Barbara Lee was among those who stressed the importance of defining Darfur as genocide. Barbara Lee (CR, 2004:E894) argued that, "the crimes in Darfur were beyond ethnic cleansing. It is genocide!" Lee called on the Bush administration to call the crime genocide because "we must stop genocide now". Kennedy belonged to the other camp. In Congress in the end of April 2004, Senator Kennedy debated whether Darfur was genocide, but instead of taking a clear stand like Lee, Kennedy (CR, 2004:S4678) argued that regardless of whether Darfur was genocide or not, action should be taken. Senator Feingold (CH, 2004b:3) argued on the same page by saying that, "there seems to be some disagreement about whether what is happening in Darfur is or is not genocide. Frankly, I believe that to argue over the semantics is to miss the point. What is happening is appalling...and we cannot stand by and simply watch this..." The label of genocide was debated, and the American political elite was aware of responsibilities that would follow a genocide definition. Tancredo argued (CR, 2004: H5534) that, "the word matter". In a Senate Hearing before the Committee on Foreign Relations, Brownback (CH, 2004c:42) followed up Tancredo's argument by saying "the words are important. And this word, the word on genocide, is very important and will have ramifications...around the world and in the government in Khartoum". Already in

late April, Feingold (CH, 2004b:3) had claimed that, “we ratified the Genocide Convention because doing so was an act that affirmed our commitment to basic human decency and affirmed our understanding of our own obligations to act to prevent genocide from occurring”. John Prendergast (CH, 2004b:49) argued that the situation in Darfur more than satisfied the Genocide Convention’s conditions for multilateral preventive action, and “even if argument continues about whether this is a case of actual or potential genocide, it cannot be contested that in Darfur a large section of Sudan’s population is alarmingly at risk, that the Government of Sudan has so far failed comprehensively in its responsibility to protect them, and that it is time for the international community, through the Security Council, to assume that responsibility”. As the crisis intensified throughout 2004, Senator Cummings (CR, 2004:H3002) stated that, “it is moving closer and closer being described as genocide”. There was awareness of how strong the label of genocide was, but words were not enough. Concrete action was also needed. Senator Barbara Boxer (CH, 2004c:56) stated that, “I do think words matter. And I also think actions, of course, matter more”.

While members of Congress more frequently applied the label genocide on Darfur, the administration refused to do the same before necessary research and investigation had been conducted. In records and hearings from the 108th Congress, there tend to be a much more frequent use of the word genocide than in the official released documents of the American Presidency and the State Department and Defence Department. The Bush administration reflected the argumentation of those who were more careful in implementing genocide on Darfur. On June 30 2004, Colin Powell claimed, “we see indicators and elements that would start to move you toward a genocide conclusion, but we are not there yet”. The United States still relied on the statement of John Negroponte from the end of April where he in a Senate Hearing before the Committee on Foreign Relations, had stated that we believe what has occurred in Darfur is ethnic cleansing (CH, 2004a:55). The Bush administration’s move from characterizing Darfur as ethnic cleaning to define it as genocide occurred in the aftermath of investigations that were conducted in the summer of 2004. Investigation was conducted in order for the Bush administration to be completely sure genocide occurred before they officially could define Darfur as genocide. In a Senate Hearing before the Committee on Foreign Relations, the Assistant Administrator for Democracy, Conflict, Humanitarian Assistance, US agency for International Development, Roger Winter (CH, 2004b:14) stated that the United States followed the situation in Darfur closely by, “an incident log in which we record attacks against civilians. We are keeping a record of them as they are reported to

us, and they continue up through now, and some aerial attacks periodically also continue”. In addition, senior U.S officials visited Darfur to call attention to the conflict, and to have the Government of Sudan to stop the atrocities. The most important investigation of the situation in Darfur was ordered by the Bush administration in the summer of 2004. In July 2004, the United States sent a team to conduct interviews with Sudanese refugees (Totten, 2009:205). An Atrocities Documentation Team, assembled at the initiative of the U.S Department of State’s Bureau of Democracy, Human Rights and Labor (DRL) conducted semi-structured interviews of 1136 randomly selected Sudanese refugees in 19 locations in eastern Chad in the period from July 12 to August 18, 2004 (CH, Powell, 2004c:9). On background of the report that followed the Atrocities Documentation Team’s interviews of Sudanese refugees, the Bush administration declared genocide in Darfur on September 9, 2004.

In the aftermath of the official American declaration of Darfur as genocide on September 9, 2004, Senator Jon S. Corzine (CH, 2004c:28) stressed that “now we have *obligations* under the Genocide Treaty that must be addressed”. Corzine (CH, 2004c:25) further claimed, “I think words, while they are not the important issue, they do have real implications with regard to moving the international community, and I think it gives us greater leverage in negotiating these U.N. resolutions...” President Bush was not afraid of apply the term genocide after the decision to define Darfur as genocide was taken. In late September, Bush (PP, 2004c:2144) stated “the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my Government has concluded are genocide”.

In order to understand American foreign politics, the relationship between realism and idealism has to be addressed. Jervis (2003:365) argues that post-9/11, the Bush administration adapted a policy reflecting a willingness to act unilaterally when necessary, which does not fit with my argumentation of the United States as multilateral oriented towards Darfur. At the same time, a reliance on international law in sense of working through the UN in addressing the crisis in Darfur could reflect that the United States was not considering it obligatory to act unilaterally. The GOS could accuse the United States, but not the UN, for applying a colonial oriented policy. A reliance on the UN can therefore be considered a tool to legitimize the operations, or additionally, it could simply be considered as an element of American idealism. A balance between realism and idealism shapes the American foreign policy. Mazarr (2003:503) claims, “President Bush and his foreign policy team embraced realism as their guiding philosophy, but Bush’s officials are adherents of the distinctly liberal and idealist

notion of the ‘democratic peace’”. He (2003:513) further argues that President Bush and his senior officials characterized the threat of terrorism in ideological, rather than material terms. I have already stated that Sudan, serving as a safe haven for terrorists groups, was important for the United States in its war on terror. To sum up, there was in 2004 an awareness of the presence and importance on international law, but such awareness can also be explained as an element of idealism. The actual American response towards Darfur was verbal, and not physical.

4.3.3 A comparison of international law at the times of Bosnia and Darfur

While the political elite was more concerned about implementing the term, and stressing the importance of having Darfur defined as genocide, this was of less importance to Bosnia. While the focus was on concrete action towards Bosnia, the focus at the time of the Darfur crisis was more on the connection between crime and action. Within the American political elite, it was important to have Darfur defined as genocide because a use of the term genocide would lead to certain obligations and responsibilities for the United States to take action in order to stop the crisis. While the United States officially defined Darfur as genocide on September 9, 2004, Srebrenica was not defined as genocide before ten years after in 2005. While the Genocide Convention was present at both the times of the crisis in Bosnia and Darfur, R2P was only present at the time of Darfur in 2004. I have earlier stated that while R2P was first consolidated as an international norm in 2005, its origin goes back to a report from 2001. This justifies my argument of R2P as relevant at the time of Darfur.

In the United States, there were more concerns about the international law and norms on genocide at the time of Darfur compared to Bosnia. In addition, the American political process towards Darfur was relatively fast moving in the sense that there was a fast progress from debates started to actual action was taken. It was first debated whether the crimes should be condemned. Action was then taken as both Senate and the House of Representatives condemned the crimes, and President Bush followed up by doing the same. The path from debate to action was also fast with regards to the decision to declare Darfur as genocide. Additionally, economic resolutions were passed to increase spending on humanitarian assistance and peacekeeping missions. In the summer of 2004, between the decisions to condemn the crimes in the spring of 2004 and to declare Darfur as genocide in September 2004, the political debate in the United States turned into having more of an economical

focus. In Congress, voices called for increased spending on humanitarian assistance and the African Union's peacekeeping mission. The aim was to see concrete action being taken, and members of Congress called upon the administration for increased American action in order to stop the crisis in Darfur.

Even though, there was debated whether Darfur was of national interests, resolutions were passed, which proves that there was a certain willingness to act. The resolutions, S.CON.RES 99 and H.CON.RES 403; to condemn the crimes, and S.CON.RES 133 and H.CON.RES 467; to declare Darfur as genocide show that there was within the American Congress, a political willingness to act. The fact that the Bush administration condemned the crimes, and declared Darfur as genocide prove that it was not just members of Congress, but also the American Presidency and State officials who indicated a willingness to act. The economic debate of the 108th Congress on Darfur that developed in the aftermath of the decision to declare Darfur genocide was mainly on *H.R 4613, Department of Defense Appropriations Act, 2005*, and *H.R. 4818, Consolidated Appropriations Act*. While President Bush signed the first on August 5, 2004, the latter was signed into law on December 8, 2004. In common, both H.R 4613, and H.R 4818, aimed to provide humanitarian assistance to the crisis in Sudan. The fast progress between debate and action connects to the fact that Darfur was declared as genocide. A use of the label genocide leads to certain expectations about responsibility and action. At the time of Darfur in 2004, the United States was aware of the connection between crime and action since the Congressional debate in 2004 to a higher extend addressed the term genocide, and the connection between crime and action. There was from 1995 to 2004 a shift in the importance and reliance on international law and norms on genocide. Such a finding could implement that the American attitudes towards genocide are more ideational than structural oriented, but it is important to keep in mind that the American foreign policy is shaped in a balance between realism and idealism. The increased reliance on international law can therefore be considered as an element of idealism in the politics of the Bush administration.

Ideational or structural explanations cannot alone explain the American response towards Bosnia and Darfur. A few other explanations, which might have contributed to influence the structural and ideational explanations in shaping the American attitudes, should therefore be addressed. In will now address the intervening variables of lobbying, the role of media and local actors in 1995 and 2004.

4.4 Intervening explanations

This section provides a study of three intervening variables that might have influenced the American attitudes and responses towards Bosnia and Darfur. First, lobbying is presented, before the role of media and local politics will be studied.

4.4.1 Lobbying

Lobbying is the attempts to influence decisions, and this section provides a presentation of the American lobbying that took place in 1995 and 2004.

American lobbying on Bosnia

So far, my discussion has showed that the Congressional debate on the Bosnian crisis concerned on what action to take in order to stop the crisis. Within Congress, it was mainly debated whether the arms embargo should be lifted or not. I have concluded that lobbying is the attempts to influence decisions. The representatives who repeatedly stood up to speak in Congress about Bosnia should therefore not be characterized as lobbying actors, but more as someone who worked hard to influence the decisions on whether or not to intervene in Bosnia. The camp that argued for a more offensive oriented policy increased their work for an intervention as the conflict intensified, and Srebrenica fell in 1995. With that kept in mind, I now move on to addressing the lobbying actors; the NGOs and grass root organizations that attempted to influence the American political elite to intervene in Bosnia.

Besides the members of Congress who worked intense in order to influence, and trigger in favour of an American intervention, there were American NGOs and other organizations that also addressed the Bosnian crisis. Their aim was to pressure the political elite to increase its action in order to stop the crisis. Power (2002:435) states that as the crisis in Bosnia intensified a number of human rights groups overcame their opposition to use force and called for military intervention in order to stop the crimes. While President Clinton and most members of Congress were trying to keep American troops out of Bosnia, a coalition of human rights, religious and medical groups called for stepped-up U.S. and foreign military action to end the slaughter of Muslim civilians (Priest, 1995:1) In July of 1995, a coalition of thirty-seven organizations issued a press release that demanded military intervention (Power, 2002:435). A common statement claimed, "Force must be used to stop genocide...American

leadership, in particular, is needed...Nothing else has worked". Among the signatories were the American Jewish Community, the American-Arab Anti-Discrimination Committee, World Vision, Refugees International and Human Rights Watch (Power, 2002:435). It was a huge deal for some of the organizations that never before had argued for military force. Farkas (2003:210) states that, "the Bosnian lobby was based on humanitarian concern, not ethnic affiliation or geostrategic calculations", which reflects the view of the American political elite that was also concerned about protecting the innocent civilians. While the political elite was split on whether to intervene in Bosnia, its main concern was humanitarian in terms of protecting the civilians. In addition to lobbying, media also played a role in adapting a pro-intervention approach. The role of media will be addressed later.

American lobbying on Darfur

As the previous section stated, there were some representatives who repeatedly took the floor in Congress to call for an American intervention in Bosnia. The same was scenario in 2004, when some representatives stood up in the 108th Congress to call for increased action in order to stop the Darfur crisis. A study of documents from the 108th Congress shows that representatives Wolf, Lee, Kennedy, Feingold, Prendergast and Cummings took the floor repeatedly throughout the 108th Congress in order to put focus on the situation in Darfur. Their aim was to "focus on Darfur and not have it fall of the radar screen" (Senator Corzine, CR, 2004:S4946). Wolf (CR, 2004:S7506) often stated that, "I am going to keep mentioning this issue on the floor at every opportunity because we have a chance to reverse the travesty". In the previous section, it was also stated that the representatives who repeatedly took the floor in Congress should not be considered as lobbying actors, but rather as actors who aimed to influence the American decisions. This also applied to Darfur. I will therefore move on to address the NGOs and grass root organizations that lobbied for an American intervention in order to stop the crisis in 1995.

The American interest in Darfur is connected to its involvement in the Sudanese conflict. I have already, in the section addressing the international setting in 2004, presented the complexity of the Sudanese conflict, and how the genocide in Darfur was only one element of it. Sudan was in the American interests because of its role in the war on terror, its oil industry, and due to the presence of other great powers in the region. An additional factor is the religious connection between South Sudan and the Bush administration. During the civil

war, the United States supported the Southern Sudan, which were mainly Christians. Religious groups in the United States lobbied their case. In the United States, President Bush had support from Evangelicals voters, which can help explain their ability to influence his politics. There is often made parallels between the faith of President Bush and its implications for the policy (Mazarr, 2003:508). Evangelical Christians put Sudan on the agenda, but as the crisis intensified” celebrities, ordinary citizens turned activists, and college campuses around the United States mobilized behind action on Darfur” (Sidahmed, Soderlund and Briggs, 2010:65).

The most well known organization to address the crisis in Darfur is *Save Darfur*. *Save Darfur* is an alliance of over 100 faith-based, humanitarian and human rights organizations, which aims to “unite our voices to raise public awareness and mobilize a massive response to the atrocities in Sudan's western region of Darfur”¹⁸. *Save Darfur* was founded in 2004, and has since then called on the United States, other governments and the UN to end the crisis. In addition to *Save Darfur*, there are a numerous of other NGOs, which also aim to influence the international community to increase its action. While many NGOs, such as *Save Darfur* put individual cases on the radar screen, there are some organizations with a broader focus. One example is the *International Coalition for Responsibility to Protect* (ICRtoP), which was created in January 2009, to “strengthen the normative consensus for R2P, further the understanding of the norm, push for strengthened capacities to prevent and halt genocide, war crimes, ethnic cleansing and crimes against humanity. It further aims to mobilize NGOs to push for action to save lives in R2P country-specific situation”¹⁹. During 2004, there was intense lobbying from groups that lobbied for an increased American involvement.

A comparison of American lobbying on Bosnia and Darfur

At both the times of the conflicts in Bosnia and Darfur, there was American lobbying for increased action. It has been pointed out that some representatives of Congress repeatedly took the floor in order to call for increased American involvement. While these representatives were active in trying to influence the American response towards Bosnia and Darfur, their role should not be characterized as lobbying. For this thesis, lobbying actors have been the NGOs and other organizations that worked to pressure the American political elite to take action.

¹⁸ Save Darfur’s unity statement can be found at: http://www.savedarfur.org/pages/unity_statement

¹⁹ ICRtoP’s unity statement can be found at: <http://www.responsibilitytoprotect.org/index.php/about-coalition>

Lobbying in 1995 differed from 2004 in the sense that it was more one-way sided towards Darfur. While it was debated whether Darfur was genocide, all the actors who lobbied called for increased action. Even though some NGOs and grass root organizations lobbied for an American intervention, the NGOs were challenged by the fact that it was hard to influence a split Congress. In Congress, there were the two camps of those who favoured a defensive policy, and those who called for a more offensive oriented policy. There was also in 2004 more NGOs and organizations that pressured the American political elite to take action. It was in other words more lobbying for American intervention in 2004 than in 1995.

4.4.2 The role of Media

It has previously been stated that media plays a political role in terms of “agenda-setting” and its ability to frame a situation. It has also been claimed that media tends to side with the victims (Robinson, 2002). The next section will study such statements in order to see how media influenced the American responses towards Bosnia and Darfur

The role of media in Bosnia

Journalists reported stories from Bosnia with a hope that they would move Western policymakers (Power, 2002:277). Through out the war, op-ed writers, human right activists, former diplomats, and journalists spoke out in opposition to Clinton’s policy. On a visit to London in July 1992, the Bosnian Serb leader Radovan Karadzic denied the atrocities, and challenged journalists to come see for themselves (Power, 2002:275). Karadzic was certain he could empty the camps before the journalists arrived, but he miscalculated as Western journalists arrived before him in Bosnia. Local Serb officials managed to stop reporters from entering the camps, but the reporters spotted a group of prisoners who arrived at the camp Trnopolje, and these pictures were sent home and broadcasted. Within the next two weeks, the major networks broadcasted forty-eight news stories of the atrocities in Bosnia (Power, 2002:276). The pictures that were broadcasted influenced the American people since “there is an enormous difference between reading about atrocities and seeing those images (Power, 2002:276). The Western media was in other words present, and able to report home about the crimes being committed in Bosnia, but its presence has also been accused of being biased, acting as anti-Serbian propaganda. There was basically no Western media coverage that supported the Serbs.

Edward Herman (2005) argues that media has played an important role in making the Srebrenica massacre a propaganda triumph. He states that media through out the Bosnian crisis repeatedly reported on Serbian attacks and atrocities. At the same time that Serbian aggression was reported, media failed to address the atrocities that had been carried out by the Croats and Bosnian Muslims. Herman (2005) claims, “Croatian authorities were delighted of a Srebrenica massacre since it deflected attention from their prior ethnic cleansing of Serbs and Bosnian Muslims in the Western part of Bosnia”. A misleading and selective framing of the Bosnian crisis was standard media practice” (Herman, 2005). Herman claims that Western media gave more attention to the Bosnian Serb prison camps than to Bosnian Muslim and Croatian prison camps, by providing a comparison of the media coverage of Srebrenica and Krajina. The case of Krajina was the ethnic cleaning of 250,000 Serbs by the Croats only a month prior to the massacre of Srebrenica. While words as “cold-blooded killing”, “genocidal”, “aggression” and “ethnic cleansing” were used to characterize the crimes being committed by Serbs in Srebrenica, no such words were used by the media to explain the crimes committed by Croats in Krajina (Herman, 2005). Media chose what questions and issues to address with regards to the Bosnian crisis. The war in Bosnia-Herzegovina turned most media into propaganda tools in the hands of authorities, armies and factions²⁰. Especially Bosnian Muslims were good at handling media, which resulted in the Western media siding of their case. Herman (2005) claims, “in case after case the media would report on Serb attacks and atrocities, having neglected to report the prior assaults on Serbs in those same towns and making the Serb behaviour seem like unprovoked acts of aggression and barbarity”.

The role of media in Darfur

Sidahmed, Soderlund and Briggs (2010:52) state that media coverage of Darfur remained fragmentary during the first years of the conflict. In *The World and Darfur*, Amanda Grzyb (2009:78-79) argues that in contrast to Rwanda, there was a slower pace of atrocities in Darfur and this had effects on media coverage in four ways. First of all, media coverage came too late, secondly, media had time to obtain fairly accurate information, third, coverage was decidedly inconsistent, and finally, due to the late media coverage, NGOs, activists and bloggers had time to develop websites with updated information on Darfur. Sidahmed, Soderlund and Briggs (2010:61) argue that, “no network prime time television news stories

²⁰ Based on argumentation by BBC. For more: http://news.bbc.co.uk/2/hi/europe/country_profiles/1066886.stm

dealing with Darfur were broadcast during 2003, the first year of the conflict”. They (2010:61) further state that only seventy-two stories were aired over four years.

In 2009, the Amman Community Net, the Cairo Institute for Human Rights Studies, the International Media Support and Osservatorio di Paviacrisis published a report called, “*Media coverage of the Darfur conflict in Sudanese and non-Sudanese media*”²¹. The report presented some challenges that contributed to the late and limited media coverage. One challenge was the security situation, which limited the possibility to send journalists and news reports to Darfur. In addition to security issues, the costs of sending and keeping reports in the area might also explain the lack of media interests in Darfur (Sidahmed, Soderlund and Briggs, 2010:52). Another challenge was that the Sudanese government exercised control over the media coverage, which prohibited the work of journalists. Journalists were often prohibited from going to places, most often the refugee camps. The report (2009:45) also concluded that media coverage of the Darfur crisis was limited. It (2009:8) further claims the crisis “is first and foremost framed in a political dimension with the crisis framed as a political struggle between local Sudanese actors, and a struggle between the Sudanese government and the international community”. Media tended to focus on the international implications of the crisis as opposed to view the crisis with a local Sudanese context, “stressing that the crisis is caused by external factors such as the international community instead of local causes”. The report concluded that stories focusing on the refugees are very few, especially in the non-Sudanese media and the Sudanese state-controlled electronic media. The report (2009:8) states, “the refugees and other victims of the conflict are losing out in the media coverage in large part because when humanitarian issues are covered they tend to lean become politicized”. The victims of Darfur were in other words not able to effectively use the media. They did not have a clear “media strategy”, which resulted in a failure to actively manipulate media.

Sidahmed, Soderlund and Briggs (2010:69-70) claim that the language used by Western media tended to be highly negative when describing the GOS and the Janjaweed, and more positive when describing the United States. The United States was credited for calling attention to the conflict by labelling it as genocide, and by pressuring the GOS. There were little mentions on the disconnection between defining Darfur as genocide and the failure to intervene. A positive media framing might have influenced the American willingness to

²¹ Link to the report: <http://www.i-m-s.dk/files/publications/1482%20Darfur.final.web.pdf>

intervene in Darfur since media did not critically evaluate the American politics towards Darfur.

Even though media coverage came late, some commentators claim that media attention increased as the crisis intensified in the spring of 2004, and that it was daily pictures from Darfur on television and in print (Sidahmed, Soderlund and Briggs, 2010:52). Grzyb (2009:83) further claims that even though media has played a role in putting Darfur on the agenda, “it is the NGOs and Darfur activist organizations that have truly kept up the pressure for international intervention”.

A comparison of the role of media at the times of Bosnia and Darfur

Media tends to support and side with the victims, or at least those who are presented as the victims in a conflict (Robinson, 2002). Media often choose to pick side in a conflict, and this is what happened in Bosnia where Western media sided with the Bosnian Muslims. A bias and selective media coverage might have framed and influenced the Western attitudes to become anti-Serbian, which further resulted in the American involvement in the war in 1995. According to a report from 2009 by the Amman Community Net, the Cairo Institute for Human Rights Studies, the International Media Support and Osservatorio di Paviacrisis, media was biased in the Darfur crisis in the sense of focusing on the international implications of the crisis as opposed to view the crisis with a local Sudanese context.

Bosnian Muslims were good at managing media, and have them to serve their cause. The scenario was different in 2004 when the victims of Darfur were not able to use media to serve their cause. In addition, GOS also put restrictions on what Western media could report. The Bosnian Muslims therefore succeeded more in manipulating the media coverage in 1995 than what the Darfur victims managed to do in 2004. Media also covered the Bosnian War more than the Darfur crisis. Media coverage of Darfur was late. Western media was more biased at the time of Bosnia, which became one of the factors that triggered the American intervention in 1995. At the same time, it is important to keep in mind that it was harder to report from Darfur than Bosnia since GOS put restrictions upon media. In the next section, I will further explore the argument that Bosnian Muslims succeeded in manipulating the Western World to take side in the Bosnian War.

There was in other words a shift in the role of media from Bosnia to Darfur in the sense of a more biased and selective framing of the Bosnian War. In 1995, Bosnian Muslims succeeded in handling the media to frame their interests in a way that resulted in anti-Serbian attitudes. Media coverage of the Bosnian conflict mainly reflected what Robinson (2002) calls empathy framing. It sympathized with the Bosnian Muslims and pressured the Western governments to intervene.

4.4.3 Local politics and local actor's attention to influence

It has been stated that local actors often tend to lobby their interests in a manipulating way in order to trigger a response. The next section will study whether local actors influenced the United States to intervene in Bosnia in 1995, and not to intervene in Darfur in 2004.

Local politics and local actor's attention to influence in Bosnia

Herman (2005) argues, "The events of Srebrenica and the claims of a massacre were extremely helpful to the Clinton administration, the Bosnian Muslim leadership and Croatian authorities". President Clinton was pressured to take more forceful action in order to stop the crisis. I have already addressed this issue by referring to the 104th Congressional debate. I will therefore address the argument that claims of a massacre in Srebrenica were helpful to the Bosnian Muslims and Croats.

First of all, Bosnian leaders had through out the whole war worked to have the NATO powers to intervene on their behalf. Herman (2005) claims that the Bosnian Muslim government engaged in a program to provoked the Serbs, lied about causalities in addition of trying to place all the blame on the Serbs. In the years prior to Srebrenica, thousands of Serb civilians was killed by Muslim forces, but this was not much addressed. Herman (2005) also addresses the confusion about causalities in the Srebrenica massacre. While this research project relies on 8,000 executed, Herman states that such number has been taken as a given since 1995. Herman (2005) argues that, "numerous of bodies found in local grave sites were victims of fighting, and many Bosnian Muslim men who fled Srebrenica reached Bosnian Muslim territory safely. Some bodies were also those of the many the Serbs who were killed in the forays by the Bosnian Muslims out of Srebrenica in the years before July 1995". The Bosnian Muslim leadership also refused to disclose these names of those reaching safely. Herman (2005) argues that propaganda lies played a very important role in forwarding the

conflict, which created anti-Serb actions. Herman (2005:2) further addresses the statement that "Bosnian Muslim officials have claimed that their leader, Alija Izetbegovic, told them that Clinton had advised him that U.S. intervention would only occur if the Serbs killed at least 5,000 at Srebrenica". It is important not to exaggerate such statement since it is hard to find evidences for whether President Clinton actually stated so, but it should be kept in mind.

Also the Bosnian Prime minister Silajdzic lobbied the Bosnian Muslims case. He was aware of the lack of the American interest in the region, and argued, "They know what is happening to us, and it bothers them. But the American government talks only about its interest...and Bosnia is not a vital U.S interest" (Power, 2002:396). On January 31, 1995, Silajdzic attended a Congressional Hearing on the situation in Bosnia before the Commission on Security and Cooperation. In this hearing, Silajdzic (CH, 1995a:6) stressed that he was not asking for American troops in Bosnia. He demanded an increased American commitment to end the arms embargo in order to stop the crisis. The prime minister (CH, 1995a:6) summed up the Bosnian demands by announcing to the Committee that, "Rather than to "Americanize" the war as some say, ending the embargo would "Bosnianize" the war, and that is what we want. For the moment, because we cannot defend ourselves, the war is only "Serbianized".

In the United States, it also developed an interesting debate concerning the ethnicity of the victims, and whether the West would have reacted differently and intervened faster if the victims were not Muslims. During a Congressional debate on lifting the arms embargo, Senator Biden (CR, 1995:S.9232) asked if the United States and the rest of the Western community would have cared differently if the victims in Bosnia had not been Muslims. Biden, who was among those who called for a political shift, asked "what if, a Moslem-dominated Bosnia and Herzegovina had attacked a peaceful, Orthodox Christian Serbia...and then proudly announced that its policy of so-called ethnic cleansing had been successful, would Christian Europe then be sitting idly by?" In Congress a week earlier, Senator McCain (CR, 1995: S9879) had stated that, "If these were not Moslems, the world would be reacting".

It was not only the Bosnian Muslims who lobbied their case at the time of the massacre of Srebrenica. Also the Croats advantaged from the anti-Serb attitudes that developed as evidences about Srebrenica reached the Western world. The Srebrenica massacre took away focus from crimes that the Croats had committed towards Serbs in the war. There were three main actors involved in the Bosnian War: Croats, Bosnian Muslims and Serbs. The war lasted for three years, and all parts committed crimes. But the war ended with the Srebrenica massacre, leaving the Serbs as the perpetrators, which resulted in anti-Serbian attitudes.

Local politics and local actor's attention to influence in Darfur

The international community met obstacles in their work to prevent and improve the humanitarian situation in Darfur since the GOS showed low willingness in cooperating. At the time of the Darfur crisis, the Sudanese government relied on the principle of state sovereignty and non-intervention. GOS stated that an international or American intervention would abuse such principle, in addition to reflect colonialist behaviour. President Al-Bashir often announced any team or state that dared to enter the Sudanese soil without permission would be violating the Sudanese sovereignty (Totten, 2009:208). In an interview given to Time in 2009²², Al-Bashir argued, “we think that the ICC is a tool to terrorize countries that the West thinks are disobedient...the court is directed against the countries of the third World and is a tool of neo-colonialism”. He further claimed his innocence in the Darfur crisis by stating that it was caused by environmental reasons of drought and scarcity of resources.

Anders Kjølberg (2006:17) argues that there is an opposition between the Western World's implementation of democracy and humanitarian interventions when human rights are at stake, and the resistance from the rest of the World against such policy. Kjølberg (2006:7) states that African states tend to consider the Western policy as colonialism and “new-imperialism”. In 2004, Sudan was therefore not in favor of the new developments within international law on humanitarian intervention and R2P. Simmons (2009) argues that there are three ways governments tend to commit to human rights treaties; sincere ratifiers, false negatives and strategic ratifiers. The Sudanese commitment to R2P does not fit within any of Simmon's classifications. Since R2P is considered to be far from Sudan's ideal point, it is not favouring a commitment to its principles. Also African and Middle Eastern countries are supporting GOS in this view. While the countries of the North have acclaimed R2P, it has provoked controversy in the South. Bello (2011:1) states that, “Southern states have only relatively recently acquired independence from colonial occupation by waving the banner of national sovereignty”. While the Western World tends to be more positive oriented towards international law and norms, states in Africa and the Middle East are more careful to comply with such ideas since they often tend to be more directly affected by them. International law and norms put obligations and responsibility upon states to react toward crimes against humanity, and such crimes are most likely to be found in African and Middle Eastern states.

²² In order to read the whole interview, see: <http://www.time.com/time/world/article/0,8599,1916262-5,00.html>

A comparison of local policy in Bosnia and Darfur, and local actor's attention to influence

At both the times of the conflicts in Bosnia and Darfur, there were local actors who succeeded in influencing the American attitudes, which further influenced the American response to the conflicts. While Bosnian Muslims lobbied their case and succeeded in creating anti-Serbian attitudes, the GOS strong reliance on the principle of state sovereignty and non-intervention influenced the American ability and willingness to intervene in Darfur. GOS relied on the principle of non-intervention, which made it hard for the Western community to intervene in order to stop the conflict. While local actors called for increased American involvement in Bosnia in 1995, local actors in Darfur worked against an American involvement.

Both in 1995 and 2004, there were local actors who managed to influence the American policy on the conflicts, but external lobbying was greater in 1995 compared to 2004. In 1995, regional actors were in favour of a Western intervention. The scenario was different in 2004 as other actors in the region supported the GOS reliance on state sovereignty. While GOS had regional support, Republic Srpska was not supported from other actors in the region, except from Serbia.

5 Conclusion

The aim of my research project has been to study the American attitudes and response to genocide. In this last chapter, I will sum up my findings in order to conclude what factors that can best explain the attitudes and responses. While Darfur became the first time that an on-going conflict was defined as genocide, Srebrenica was only defined as genocide ten years after, but in both conflicts men and boys were slaughtered down, women raped and villages burnt. Crimes against humanity were being committed against innocent civilians in both Bosnia and Darfur. What can explain the fact that the United States responded differently towards Bosnia and Darfur? Has the American reactions towards genocide changed?

First of all, it is important to keep in mind the serious scope of both conflicts. Neither the crimes committed in Bosnia nor Darfur should be ranked as more serious than the other, but the United States responded differently towards the two serious conflicts. While the United States originally considered the Bosnian War as a European problem, it considered Darfur as an international problem. The 104th Congress debated whether to stick to its passive policy on Bosnia, or to adapt to a more offensive oriented policy by lifting the arms embargo. An offensive policy was first adapted when Europe had failed to stop the crisis, and Srebrenica fell in 1995. The 108th Congress was more consistent in its addressing of the Darfur crisis. The United States condemned the crimes being committed by the GOS against its innocent civilians. Further, the crimes were defined as genocide, and American action was taken in sense of economical resolutions. At the same time, it is important not to exaggerate the American response since there tended to be more words and promises than actual action. Instead of directly intervene in order to stop the crisis as was the case in Bosnia, the United States adapted a multilateral orientation by calling upon the UN to adapt similar policy. Such a multilateral orientation could be considered necessarily in order to maintain the American interests. In 2004, other actors, such as the great powers of China, Russia and European states were present, and had interests in Sudan. Besides the interests of other great powers, there were also other reasons, which influenced the American response. In 2004, the United States was involved in Afghanistan and Iraq, and could not afford to get involved in a third conflict. An additional factor was the complexity of the conflict in Sudan. Since 1955, the Northern and Southern Sudan had fought a violent civil war. A final peace agreement was signed in 2005. The genocide in Darfur might have been forgotten in all the focus on the civil war and peace negotiations since it was only one element of the complex Sudanese conflict.

The American led NATO intervention in 1995 can also be explained in terms of maintenance of American interests. The Bosnian War had challenged the credibility of NATO to preserve security and peace. The intervention in 1995 can therefore be considered a tool to strengthen such credibility, which was certainly within the American interest. An intervention requires that attitudes and norms connects and reflect with the interests. For an intervention, it is simply not enough for only attitudes to be present. An intervention that has negative impacts on the interests will not take place. In 1995, it was not only within the American interests to launch a NATO intervention, since also local actors favoured a NATO intervention. The scenario was different in 2004 when local actors worked against an intervention. The African and Arabic World was favouring the principle of state sovereignty and non-intervention by claiming that an intervention reflected colonialism and imperialism.

The fact that the United States adapted a multilateral orientation in 2004 can also be connected to an increased American reliance on international law. A finding of my study indicates that there was a shift in the presence and reliance of international law on genocide from 1995 to 2004. While the Genocide Convention was present at both the times of the conflicts in Bosnia and Darfur, R2P was only present at the time of Darfur. The Congressional debates of 2004 were also to a higher extent addressing the connection between crime and action. An implementation of the genocide definition leads to certain obligations and responsibilities, which the United States addressed more frequently in 2004 than in 1995. The decision to declare Darfur as genocide could mean that the United States was aware of its obligations to react, which would mean that international law and norms had strengthened its position from 1995 to 2004. At the same time, it is important not to exaggerate such finding. By studying American foreign policy, it is important to be aware of the strong element of idealism, and the special relationship between idealism and realism. The increased reliance on international law in 2004 can simply be considered as an element of idealism, and not international law that the Bush administration was sceptical towards.

Lobbying was one intervening variable that certainly influenced the American reactions towards Bosnia and Darfur. First of all, there were representatives within the American Congress who repeatedly took the floor in order to call for increased involvement, but most importantly, there were NGOs and other organizations that lobbied for increased American involvement. While domestic lobbying certainly played a role in influencing the American attitudes towards Bosnia in 1995, there was external lobbying that played a more

significant role. The scenario was opposite towards Darfur in 2004, when domestic lobbying played a more significant role than external lobbying. Even though local actors lobbied their cases in both 1995 and 2004, Bosnian Muslims lobbied more than the GOS. In 1995, Bosnian Muslims lobbied and manipulated their interests in order to trigger increased action and a Western intervention. As a result of such lobbying, the Western World chose to side with the Bosnian Muslims. Bosnian Muslims also succeeded to manipulate media in adapting an anti-Serbian framing of the conflict. The Bosnian lobbying, and media's framing resulted in a spread of anti-Serbian attitudes throughout the Western World, which lead to an intervention on Bosnian side.

Besides domestic lobbying, there was the lobbying by local actors. Such external lobbying can certainly explain the American refusal to intervene in Darfur. While I have already pointed out that there was an American shift in the reliance on international norms and law from 1995 to 2004, the Sudanese Government did not reflect the same shift. R2P has become a Western supported norm, which has influenced the Western World's attitudes to become more offensive oriented towards genocide. African and Middle Eastern states do not follow the same trend since state leaders in this region tend to consider humanitarian interventions to be politics of colonialism or "new-imperialism". On background of this, Al Bashir and his regime refused a Western involvement in its state affairs. Sudan relied on the principle of state sovereignty and non-intervention, which again influenced the ability and willingness of the United States and the international community to intervene in Darfur. R2P tends to be closer to the ideal policy of the Western World than to the African and Middle Eastern states.

American attitudes and responses towards genocide can certainly not be explained in one single factor. A study of only structural and ideational explanations would conclude that an ideational explanation tends to explain American attitudes and response best since there was a shift in the presence and reliance on international law from 1995 to 2004. But such conclusion is exaggerating the importance of international law, since a shift in such variable simply can be explained as an element of the balance between real politics and idealism. Real politics certainly played a great role in shaping the American attitudes and response towards genocide, but this thesis has also proved that there were other intervening factors that influenced the American politics in 1995 and 2004. I have proved that local politics matters. In addition, I have showed that media plays a role in its framing of conflicts, which further

influenced the policy-making. The American attitudes and responses towards genocide are therefore not set, but rather shaped in a context where different explanatory factors should be taken into account.

As a closing remark, I want to empathize that even though the increased reliance of international law can be explained as an element of idealism, the increased development within the field on international law and norms on genocide prevention provides hope for a brighter future. The development of new norms on genocide provides hope for a future free of genocide. R2P is a new concept, and is still in the developing phase to find its place in the international system, but a strengthening of the norm in sense of states being more willingness to follow up the responsibilities put upon them when crimes against humanity is being committed provide hopes that genocide in the future might be prevented. Hopefully the promise of “never again” can finally be made valid.

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